

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

MAY 13, 2003

PRESENT:

**David Humke, Chairman\***  
**Jim Shaw, Vice Chairman**  
**Jim Galloway, Commissioner**  
**Pete Sferrazza, Commissioner**  
**Bonnie Weber, Commissioner**

**Amy Harvey, County Clerk**  
**Nancy Parent, Chief Deputy Clerk**  
**Katy Singlaub, County Manager**  
**Madelyn Shipman, Legal Counsel**

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada, with Vice Chairman Shaw presiding until Chairman Humke arrived at 3:45 p.m. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

**03-466      WORK CARD PERMIT APPEAL – PETER VAN PEBORGH**

The appeal by Peter van Peborgh of the Sheriff's denial of his work card permit application was considered on Monday, May 12, 2003 prior to the Caucus meeting.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioners Shaw and Sferrazza absent, the Board convened in closed session to hear testimony as to why the work card should or should not be granted.

The appellant Peter van Peborgh was present to offer testimony during the closed session.

Also present were Maureene Thomas, Chief Records Clerk, Washoe County Sheriff's Office, Alice LeDesma, Child Care Licensing Supervisor, Washoe County Social Services, and Victoria Bowers, Social Worker, Washoe County Social Services.

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Commissioner Sferrazza arrived at the meeting shortly after the closed session began.

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On motion by Commissioner Weber, seconded by Commissioner Sferrazza,

which motion duly carried with Commissioner Shaw absent, the Board reconvened in open session and the following action was taken:

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Commissioner Shaw absent, it was ordered that the appeal be approved and that the work card permit be granted to Peter van Peborgh subject to the following conditions which were accepted by the appellant:

1. Mr. van Peborgh shall draft a disclosure notice about his prior conviction which must be approved by Social Services, signed by a parent of every child coming into the child care facility, kept updated with the current children at the facility, and kept on file for inspection; and
2. The children cannot be left in the sole care of the appellant.

**03-467            AGENDA**

In accordance with the Open Meeting Law, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that the agenda for the May 13, 2003 meeting be approved with the following amendments: Delete Item Nos. 7, an appearance by Marlene Rebori and a presentation concerning the Engaged Leadership Program; and 18A, concerning membership of the Deferred Compensation Committee. Move Item No. 13, concerning appointments to the Organizational Effectiveness Committee, to the "Consent" items. It was noted that several items would be taken out of order.

**PUBLIC COMMENTS**

Robert Cameron, Washoe County resident, urged the Board to sell the Slide Mountain property and expressed his belief that no one would ever build condominiums on that property. He also expressed a concern about a proposal to build 9,000 to 10,000 homes in Martis Valley using Truckee River water. He said, although that is in California, he hopes the Board can do something.

Sam Dehne, Reno resident, criticized Secretary of State Dean Heller.

John Bradbury, Spanish Springs resident, stated the temporary round-a-bout installed on Eagle Canyon Drive near the Spanish Springs High School was a huge waste of taxpayer dollars and has created many traffic problems.

Garth Elliott, Sun Valley resident, suggested kennel permits and other neighborhood issues should be decided by the Citizen (Neighborhood) Advisory Boards. He also noted the amount of staff time spent on the Burning Man issue and stated they cannot get the Sun Valley Community Plan completed now because of this strain on County resources and personnel.

## **MANAGER'S/COMMISSIONERS' COMMENTS**

Commissioner Weber requested a future agenda item concerning changing the term limits of Citizen Advisory Board (CAB) members to three two-year terms. She stated she feels it is important to retain the experience of the members. Katy Singlaub, County Manager, advised staff does have an action plan underway to look at various changes to improve the effectiveness of the CAB's, which will be coming to the Board soon.

Vice Chairman Shaw commended Steve Bradhurst, Water Resources Director, and the staff of the Water Resources Department for the water reclamation expansion in the South Truckee Meadows and the ability to use the effluent for irrigation.

Commissioner Sferrazza confirmed that the May 20, 2003 joint meeting has been cancelled and requested a future agenda item to discuss the scheduling of the joint meetings.

### **03-468      PROCLAMATION – FOSTER CARE MONTH IN WASHOE COUNTY – SOCIAL SERVICES**

Vice Chairman Shaw read the Proclamation declaring May as "Foster Care Month" into the record. He commended Mike Capello, Social Services Director; Social Services staff; Catherine Rodriguez, President, Sierra Association of Foster Families; and Cindy Johnson, Foster Family Support Advocate, for their efforts on behalf of foster children. Mr. Capello, Ms. Rodriguez and Ms. Johnson thanked the Board for this recognition and expressed their appreciation for the foster parents.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Chairman Humke temporarily absent, it was ordered that the following Proclamation be adopted:

#### **PROCLAMATION**

**WHEREAS**, The family, serving as the primary source of love, identity, self-esteem, and support is the very foundation of our communities and our State; and

**WHEREAS**, In Washoe County there are 403 children and youth in foster care being provided with a safe, secure and stable home along with the compassion and nurturing of a foster family; and

**WHEREAS**, Foster families, who open their homes and hearts to children whose families are in crisis, play a vital role helping children and families health and reconnect and launching children into successful adulthood; and

**WHEREAS**, Dedicated foster families frequently adopt foster children, resulting in a greater need for more foster families;

**WHEREAS**, There are numerous individuals, and public and private organizations who work to increase public awareness of the needs of children in and leaving foster care as well as the enduring and valuable contribution of foster parents, and the foster care "system" is only as good as those who choose to be part of it; now, therefore, be it

**PROCLAIMED**, By the Washoe County Board of Commissioners that the month of May is hereby proclaimed FOSTER CARE MONTH in Washoe County and the Board urges all citizens to volunteer their talents and energies on behalf of children in foster care and foster parents, as well as the child welfare professional staff working with them during this month and throughout the year.

**03-469**            **MINUTES**

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that the minutes of the regular meeting of January 14, 2003 be approved.

**03-470**            **ACCEPTANCE OF DONATION – INTOXILYZERS – JUVENILE SERVICES**

Upon recommendation of Carol Galantuomini, Juvenile Services, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that the donation of two SD-5 Intoxilyzers (portable, handheld, breath alcohol measuring instruments) for field tests of court wards or youth suspected of being under the influence at the time of booking, valued at \$360 each, from the State of Nevada Juvenile Justice Programs Office be accepted with the Board's gratitude.

**03-471**            **ACCEPTANCE OF CASH DONATION – ROBERTA MCGARR – JUVENILE SERVICES**

Upon recommendation of Mary Ann Woolley, Juvenile Services, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that the donation of \$1,000 from Roberta McGarr to be used for arts and crafts projects for juveniles detained at Wittenberg Hall be accepted with the Board's gratitude.

**03-472            ACCEPTANCE OF DONATION – K-MART CORPORATION – SHERIFF**

Upon recommendation of Sheriff Dennis Balaam, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that the donation of a Sylvania Wireless Video System and three and a half cases of American Greetings “Soft Touch Bears” valued at \$449.95 from the K-Mart Corporation for the Sheriff’s Office Crimes Against Juvenile Detective Unit be accepted with the Board's gratitude.

**03-473            ACCEPTANCE OF CASH DONATION – HOT AUGUST NIGHTS – SHERIFF**

Upon recommendation of Sheriff Dennis Balaam, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that the donation of \$5,000 from the Hot August Nights Organization to pay costs and expenses for the Sheriff’s Office Honor Guard, such as travel to attend the National Law Enforcement Memorial Week in Washington, D.C. during the month of May 2003 and other costs associated with equipment specially related to the Honor Guard be accepted with the Board's gratitude.

**03-474            ACCEPTANCE OF DONATION – CAR SEATS – REMSA - SHERIFF**

Upon recommendation of Sheriff Dennis Balaam, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that the donation of six child-infant car restraint seats valued at approximately \$80 each from the Regional Emergency Medical Services Authority for the Detective and Patrol Divisions to transport children for various purposes be accepted with the Board's gratitude.

**03-475            ACCEPTANCE OF CASH DONATION AND CAPITAL OUTLAY EXPENDITURES – COMPUTER EQUIPMENT – SHERIFF**

Upon recommendation of Sheriff Dennis Balaam, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that a donation in the amount of \$52,650 from an anonymous donor in Incline Village for the purchase of approximately 20 Compaq palm computers, printers, software and support hardware for patrol units at the Incline Village Substation and to interface with the Incline Justice Court with electronic citations be accepted with the Board's gratitude. It was further ordered that the following budget adjustments be approved:

<b>Increase Revenues:</b>	
15232D-5802	\$52,650
<b>Increase Expenditures:</b>	
15232D-7236	\$28,200
15232D-7849	\$24,450

It was also ordered that capital outlay expenditures for 20 Compaq Palm computers and printers with support hardware [approximately \$1,270 each] and \$28,200 to be spent for Traffic Court Management System software supplied by Crossroads be approved.

**03-476      ACCEPTANCE OF CASH DONATION – WASHOE COUNTY BAR ASSOCIATION – LAW LIBRARY**

Upon recommendation of Brian Mirch, Finance Department, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that a donation in the amount of \$2,752 from the Washoe County Bar Association to the Washoe County Law Library for the purchase of two Dell Level 1 personal computers be accepted with the Board's gratitude. It was further ordered that the Comptroller be directed to make the following account changes:

<b>Increase:</b>		
Account 1231D-5802	Donations	\$2,752
Account 1231D-72051	Personal Computers	\$2,752

**03-477      ACCEPTANCE OF CASH DONATIONS – WESTERN INTERSTATE REGION NATIONAL ASSOCIATION OF COUNTIES CONFERENCE**

Upon recommendation of Kathy Carter, Community Relations Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that the following cash donations totaling \$36,000 for the Western Interstate Region National Association of Counties Conference be accepted with the Board's gratitude:

Nevada Association of Counties	\$5,000
U.S. Army Corps of Engineers	\$5,000
SPB Utility Services, Inc.	\$2,500
Clark & Sullivan Constructors	\$2,500
Reno/Sparks Convention & Visitors Authority	\$2,500
Regional Transportation Authority	\$2,500
SBC	\$2,500
Lifestyle Homes, Inc.	\$1,000
Sierra Pacific Power/Nevada Power Company	\$1,000

Sun Valley General Improvement District	\$1,000
Community Services Agency & Development Corp	\$1,000
Rilite Aggregate Company	\$1,000
Spanish Springs Business Center by Hawco Properties	\$1,000
Washoe Medical Center	\$1,000
Atlantis Casino Resort	\$1,000
Swendseid & Stern	\$ 500
The Hartford	\$ 500
St. Mary's Health Plans	\$ 500
Lumos & Associates	\$ 500
Economic Development Authority of Western Nevada	\$ 500
Sprint	\$ 500
Montreaux Development L.L.C.	\$ 500
Jnadeau Associates	\$ 500
ECO:LOGIC Consulting Engineers	\$ 500
Peppermill Hotel/Casino	\$ 500
Larry Beller & Associates, Inc.	\$ 500

It was further ordered that the Comptroller be directed to make the following account changes:

Account Number	Description	Amount of Increase
001-1010-10162D-5802	General Donations	\$36,000
001-1010-10162D-7398	Misc. Expenses	\$36,000

**03-478      ACCEPTANCE OF DONATIONS – WASHOE LITTLE LEAGUE – SOUTH VALLEY REGIONAL SPORTS COMPLEX – PARKS**

Upon recommendation of Rosemarie Entsminger, Fiscal Compliance Officer, through Karen Mullen, Parks and Recreation Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that the completed South Valley Regional Sports Complex Concession Building donated by the Washoe Little League, valued at approximately \$150,000, be accepted with the Board's gratitude. It was further ordered that the following cash donations and grants from various donors totaling \$175,428 to the Parks and Recreation Department be accepted with the Board's gratitude:

- \$ 1,310      from various donors for general park activities
- \$ 5,000      from an anonymous local foundation for equipment at Bartley Ranch
- \$10,000      from the Reno-Tahoe Open to support children's activity programs
- \$ 8,000      from McDonald-Carano-Wilson for the 2003 egg hunt
- \$ 1,870      from various donors toward the Easter egg hunt
- \$10,778      from various donors for programs at the Robert Z. Hawkins Amphitheater, Bartley Ranch Regional Park

\$ 3,000 from Priske Jones for improvements to the South Valleys Regional Sports Complex  
 \$ 4,923 from various donors for improvements to the Old Huffaker School, Bartley Ranch Regional Park  
 \$15,000 from Truckee Meadows Water Authority for the May Arboretum  
 \$25,000 from the Wilbur D. May Foundation to partially underwrite the cost of the Elephants exhibit  
 \$23,129 from the Wilbur D. May Foundation for repairs to the log flume at the Great Basin Adventure  
 \$ 2,856 from the Wilbur D. May Foundation for new gift store inventory expensed through the operating fund  
 \$24,000 from a fund raiser for the May Arboretum Labyrinth, Rancho San Rafael Park  
 \$18,662 from various donors for improvements to the May Arboretum  
 \$15,000 grant from the Nevada Department of Historic Preservation for the Galena Creek Park Fish Hatchery (architectural design)  
 \$ 4,000 grant from Urban Forestry to purchase trees for the North Valley Sports Complex  
 \$ 2,900 grant from the U. S. Department of Agriculture to purchase trees for the North Valley Sports Complex

It was further ordered that the following account transactions be authorized:

INCREASE REVENUE		INCREASE EXPENSES	
090-900761G-4302	\$15,000	090-900761G-7873	\$15,000
090-90080G-4301	\$ 4,000	090-90080G-7196	\$ 4,000
090-90081G-4301	\$ 2,900	090-90081G-7196	\$ 2,900
064-6401-5802	\$25,000	064-6402-7321	\$25,000
064-6402-5802	\$ 2,856	064-6402-7192	\$ 2,856
064-6404-5802	\$23,129	064-6404-7160	\$23,129
064-6405-5802	\$30,662	064-6405-7160	\$30,662
001-1401D-5802	\$ 9,870 (egg hunt)	001-1401D-7266	\$ 9,870
001-1401D-5802	\$ 5,000 (Bartley Equipment)	001-1401D-7825	\$ 5,000

**03-479      APPOINTMENTS – NORTH VALLEYS CITIZEN ADVISORY BOARD**

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that Debra Richied, Randall Robison and Gary Sayer be reappointed as at-large representatives to the North Valleys Citizen Advisory Board with terms from July 1, 2003 to June 30, 2005.

**03-480            ACKNOWLEDGE RECEIPT – CERTIFICATE OF  
ACHIEVEMENT – COMPTROLLER**

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that receipt of the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association for the County's Comprehensive Annual Financial Report for the year ending June 30, 2002 be acknowledged. The Board commended Comptroller Kathy Garcia and her staff.

**03-481            RATIFY EMERGENCY PURCHASE – COMPUTER  
EQUIPMENT – TREASURER**

Upon recommendation of Bill Berrum, Treasurer, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that the previously approved emergency purchase in the amount of \$34,172 for software and hardware for the Treasurer's Office document processor be ratified.

**03-482            PURCHASE REQUISITION – ENVIRONMENTAL MONITORING  
CO., INC. – DISTRICT HEALTH DEPARTMENT**

Upon recommendation of Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that Purchase Requisition #161923 in the amount of \$35,395 for fiscal year 2002/03 to Environmental Monitoring Co., Inc., for the purchase of computer and peripheral equipment to upgrade the web based air monitoring network on behalf of the Air Quality Monitoring Division be approved. Katy Singlaub, County Manager, noted the Board was provided justification for this sole source procurement.

**03-483            HEALTH CARE ASSISTANCE PROGRAM – PRESCRIPTION  
REIMBURSEMENT RATES – SOCIAL SERVICES**

Upon recommendation of Mike Capello, Social Services Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that the Social Services Director be authorized to standardize billing of pharmaceuticals by adopting the "Billing Unit Standard Format" and reimburse prescription drug vendors at the Average Wholesale Price (AWP) minus ten percent to be consistent with the State of Nevada, Medicaid Program.

03-484

**ACCEPTANCE OF GRANT – JUNIOR LEAGUE OF RENO – SOCIAL SERVICES**

Upon recommendation of Mike Capello, Social Services Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that the Social Services Director be authorized to accept \$3,200 in grant funds from the Junior League of Reno to increase public awareness of the need for foster and adoptive homes for children in Washoe County. It was noted this award does not require any matching funds. It was further ordered that the Comptroller be directed to make the following budget adjustments:

<b><u>Increase Revenues:</u></b>		
28091G1-5802	Integration Case Management Grant	\$3,200.00
<b><u>Increase Expenditures:</u></b>		
28091G1-7120	Integration Case Management	\$3,200.00

03-485

**ACCEPTANCE OF GRANT – OFFICE OF TRAFFIC SAFETY – SHERIFF**

Upon recommendation of Sheriff Dennis Balaam, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that a \$35,000 grant from the Nevada Office of Traffic Safety to purchase approximately 31 Compaq IPAQ's, printers and associated hardware to assist the Sheriff's Office in collection of traffic citations and accident data be accepted. It was noted this award does not require any matching funds. It was further ordered that the Comptroller be directed to make the following budget adjustments:

<b><u>Increase Revenues:</u></b>		<b><u>Increase Expenditures:</u></b>	
15279G-4301	\$35,000	15279G-7245	\$35,000

03-486

**ACCEPTANCE OF GRANT - OFFICE OF TRAFFIC SAFETY – SHERIFF**

Upon recommendation of Sheriff Dennis Balaam, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that \$1,712 in grant monies from the Nevada Office of Traffic Safety to send a deputy to the Standardized Field Sobriety Testing class in Jacksonville, Florida, June 16-20, 2003 be accepted. It was noted this award does not require any matching funds. It was further ordered that the Comptroller be directed to make the following budget adjustments:

<b><u>Increase Revenues:</u></b>		<b><u>Increase Expenditures:</u></b>	
15280G-4301	\$1,712	15280G-7385	\$ 550
		15280G-7620	\$1,162

**03-487            FEES – AUTOPSY SERVICES – CORONER**

Upon recommendation of Vern McCarty, Coroner, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that the charges for autopsy services performed by the Coroner on behalf of agencies outside Washoe County remain the same at \$485.00 per autopsy for the coming fiscal year. It was further ordered that the charges for limited examination cases remain the same at \$320.00 for fiscal year 2003/04.

**03-488            RESOLUTION – CHILDREN'S TRUST FUND – FINANCE**

Upon recommendation of Karen Wallace, Fiscal Analyst, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, it was ordered that the following Resolution be adopted and Vice Chairman Shaw be authorized to execute the same:

**RESOLUTION**

**A RESOLUTION CREATING THE CHILDREN'S TRUST FUND**

**WHEREAS**, during the 2001 17th Special Session of the Nevada Legislature, Assembly Bill 1 was enacted authorizing the integration of local child welfare services in Washoe and Clark counties; and

**WHEREAS**, the Children's Trust consists of financial reimbursements for eligible children receiving SSA/SSI or other insurance; and

**WHEREAS**, the resources, disbursements and interest earned, relative to the Children's Trust Fund need to be separated from other County financial activity; and

**WHEREAS**, the expenditures from the fund will be limited to costs associated with child welfare services; and

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, IN THE STATE OF NEVADA:**

Section 1. That the Children's Trust Fund is hereby created as a Private Purpose Trust Fund subject to the Local Government Budget Act contained in NRS 354.612.

Section 2. That the Child Protective Services Department will keep separate accounting records for each child who receives money.

Section 3. That the Child Protective Services Department will deduct from the account any services to the child provided by public money. Any surplus remaining may be expended for extraordinary items deemed beneficial to the child.

Section 4. That the Child Protective Services Department will remit any surplus balance to the parent or legal guardian of the child, or to the child if he is emancipated or has reached the age of 18 years, when the Department is no longer responsible for him.

Section 5. That the County Comptroller is hereby directed to establish said fund on the official books and records of Washoe County for the purposes of accounting for the Children's Trust Fund and interest earnings on the assets of the fund and expenditures and disbursements from the fund.

Section 6. This Resolution shall be effective on passage and approval.

Section 7. The County Clerk is hereby directed to disburse executed copies of the Resolution to the Department of Taxation, the Comptroller and the Finance Department within 30 days.

**03-489            NAMING UNNAMED EASEMENT – JOHN THOMAS LANE**

Upon recommendation of the Regional Street Naming Committee, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that the request to name an unnamed easement John Thomas Lane be approved effective immediately.

**03-490            NAMING UNNAMED EASEMENT – PANORAMA RIDGE DRIVE**

Upon recommendation of the Regional Street Naming Committee, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that the request to name an unnamed easement Panorama Ridge Drive be approved effective immediately.

**03-491            AWARD OF BID – DEMOLITION OF CONKLIN  
BUILDING – PUBLIC WORKS**

This was the time set to consider award of the bid for demolition of the Conklin Building on behalf of the Public Works Department. The Notice to Contractors was published in the *Reno Gazette-Journal* on April 3, 4, 9 and 11, 2003. Proof was made that due and legal Notice had been given.

Following is a summary of the bid results:

Iconco, Inc.	\$94,500.00
Sierra Nevada Construction	\$77,007.00
Diversified Concrete	\$98,330.00
Kemen & Son Contractors	\$54,893.00
Empire Contractors	\$84,100.00
Olcese Construction	\$83,000.00
Earl E. Games, Inc.	\$91,106.00

Upon recommendation of Roger Van Alyne, Capital Projects Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, it was ordered that the bid for demolition of the Conklin Building be awarded to the low, responsive, responsible bidder Kemen & Son Contractors in the amount of \$54,893.00 and Vice Chairman Shaw be authorized to execute the contract documents upon presentation.

**03-492            CORRECTION DEED – LONGLEY LANE PROPERTY – PUBLIC WORKS**

Upon recommendation of Jeff Cruess, Deputy County Surveyor, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, it was ordered that the Correction Deed for the Washoe County owned property on Longley Lane be approved and Vice Chairman Shaw be authorized to execute the same.

**03-493            RESOLUTION AND LAND TRANSFER AGREEMENT – NEVADA DEPARTMENT OF TRANSPORTATION – INCLINE VILLAGE MAINTENANCE FACILITY – PUBLIC WORKS**

Upon recommendation of Roger Van Alyne, Capital Projects Director, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, it was ordered that the following Resolution from the State of Nevada Department of Transportation, concerning relinquishment by the State of approximately 13,894 square feet to Washoe County for construction of a retaining wall and site access improvements for the Incline Village Maintenance Facility, be adopted and Vice Chairman Shaw be authorized to execute the same.

**RESOLUTION CONSENTING TO RELINQUISHMENT AND LAND TRANSFER AGREEMENT**

**WHEREAS**, the State of Nevada, Department of Transportation, hereinafter called the Department, desires to relinquish a portion of Incline Village Maintenance Station lying within the County of Washoe, State of Nevada, said real

property is delineated by shading and identified as parcel number 1, on EXHIBIT "B", placed on file with the Clerk and made a part hereof; and

**WHEREAS**, the Board of County Commissioners of the County of Washoe, State of Nevada, desires that the aforesaid portion of said real property be relinquished to the County of Washoe.

**WHEREAS**, the County of Washoe has requested the relinquishment of aforesaid portion of real property for the purpose of a retaining wall and access road.

**NOW THEREFORE** be it resolved that the Board of County Commissioners of the County of Washoe, does in consideration of the actions of the Department of Transportation as set forth herein, hereby consent to the State of Nevada, Department of Transportation, Board of Directors, relinquishing to the County of Washoe, that real property lying within the County of Washoe, State of Nevada, being delineated by shading and identified as parcel number 1, on EXHIBIT "B", placed on file with the Clerk and made a part hereof.

The parties acknowledge that no relinquishment can occur until the Department of Transportation, Board of Directors approves of this relinquishment.

**03-494            SUBTERRANEAN EASEMENT – CITY OF RENO – DISTRICT ATTORNEY/MUNICIPAL COURT BUILDING – PUBLIC WORKS**

Upon recommendation of Roger Van Alyne, Capital Projects Director, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, it was ordered that the grant of a Subterranean Easement from the City of Reno for construction of the District Attorney/Municipal Court Building be accepted and Vice Chairman Shaw be authorized to execute the same.

**03-495            COURTHOUSE MURAL**

Upon recommendation of Darrell Craig, Facilities Superintendent, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that the Reno-Sparks Convention & Visitors Authority, the City of Reno and Artown be allowed to paint a mural (approximately 60' x 60' in size) on the four-story portion of the Washoe County Courthouse, north exterior wall, at 75 Court Street.

**03-496            RESOLUTION – DECLARING COUNTY-OWNED PROPERTY AS SURPLUS – MILL STREET PROPERTY – PUBLIC WORKS**

Upon recommendation of Jean Ely, General Services Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway,

seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, it was ordered that the following Resolution to declare a certain parcel of real property with improvements as surplus (Assessor's Parcel Number 012-150-16) be adopted; that disposition thereof in accordance with NRS 244.282 including providing for lease back of said property until May 2004 or thereafter be authorized; and that Vice Chairman Shaw be authorized to execute the Resolution.

## **RESOLUTION**

### **DECLARATION OF SURPLUS REAL PROPERTY AND INTENT TO SELL AT AUCTION**

**WHEREAS**, Washoe County is the owner of one (1) parcel of real property with improvements containing two buildings located at 1205 and 1255 Mill Street, Reno, Nevada, identified as Assessor's Parcel Number 012-150-16 and more particularly described in Exhibit A attached hereto; and

**WHEREAS**, the 1205 and 1255 Mill Street buildings have been in use since 1968, and due to the age and physical obsolescence of the buildings, the County commenced construction of a replacement facility known as the Jan Evans Juvenile Justice Center; and

**WHEREAS**, the Washoe County Public Works Department is recommending that it is in the best interest of the County that this real property (APN 012-150-16) be declared as surplus to Washoe County's needs and sold at public auction at a board meeting to be held on July 8, 2003, at 4:30 P.M., pursuant to NRS 244.282, with reservation, at a minimum price established by certified appraisal, and under the terms and conditions listed below.

**NOW THEREFORE**, be it resolved that the Board of Washoe County Commissioners hereby declares the above-referenced property as surplus to the County's needs, that this property be sold at public auction, that the sale of this property is for a purpose other than to realign, change, vacate or otherwise adjust a street, alley, avenue or other thoroughfare, or portion thereof, and that it is in the best interest of the County and the public that this property be sold.

**BE IT FURTHER RESOLVED** that the referenced real property parcel, APN 012-150-16, described on Exhibit A attached hereto, shall be auctioned and sold "AS IS, WHERE IS" to the highest bidder in accordance with Nevada Revised Statutes 244.282, at a public meeting of the Board of Commissioners on July 8, 2003, at 4:30 P.M., and following satisfaction of the terms and conditions set forth below, the Chairman shall be authorized to execute a Purchase and Sale Agreement, a Quitclaim Deed and a Lease Agreement, and that the minimum selling price shall be Four Million Six Hundred Sixty Thousand Dollars and No Cents (\$4,660,000.00).

**PROCESS:** Notice of the sale and request for sealed written bids to be

advertised at a minimum of two weeks as required by NRS 244.282 (2b). Bids are to be accepted at the Washoe County Public Works Department, 1001 E. Ninth Street, Bldg. A, Reno, NV 89512, until July 3, 2003, by 5:00 P.M. All bid envelopes must evidence "Surplus Property Bid". At the Board of County Commissioners meeting on July 8, 2003, at 4:30 P.M., all sealed bids shall be opened, examined and declared, and of the proposals submitted that conform to all terms and conditions specified herein, which are made by responsible bidders, the bid that is the highest shall be accepted by the Board. However, the Board will, before accepting a written bid, call for oral bids, and if a higher oral bid is made by a responsible person during the meeting, in conformance with all terms and conditions specified herein, for a price exceeding by at least five percent (5%) the highest qualified written bid, the Board will accept the highest qualified oral bid. The Board reserves the right to reject any and all bids and withdraw any one or all of the properties from sale and/or adjourn the meeting and sale to a date and time within the ten (10) days next following, to be announced at the meeting.

**TERMS:** Upon award of the highest qualified bid, the successful bidder must immediately submit a non-refundable deposit equal to twenty percent (20%) of the minimum selling price listed above, by certified treasury, bank or cashier's check, and also execute a Purchase and Sale Agreement and the Lease Agreement. The remaining balance is due and payable to Washoe County, c/o Public Works Department, 1001 E. Ninth Street, Building A, Reno, NV 89512, within thirty (30) calendar days of the date on which the successful bidder is announced. In the event the successful bidder fails to tender either payment or execute a Purchase and Sale Agreement and a Lease Agreement, copies of which are available at the Washoe County Public Works Department, or on the county web site, at [www.co.washoe.nv.us](http://www.co.washoe.nv.us) the County may elect to offer the property to the next highest, qualified bidder as the Board may determine, or the Board may elect to start over with a new public auction for the property or the Board may withdraw the property in question. Buyer shall pay one-half (50%) of real property transfer taxes, if any, and Seller shall pay the remaining one-half (50%). Washoe County will accept and pay a broker/realtor commission not to exceed two percent (2%) of the minimum-selling price listed above. Said commission, if any, must be disclosed at the time of submitting a bid and will reduce the net amount of the bid offered.

**LEASEBACK:** The County requires the ability to retain possession of the property from the transfer of title to the successful bidder until completion of the Jan Evans Juvenile Justice Center and the County is established in the new location. Therefore, any prospective bidder must accept that, although the property described herein is to be sold, the County shall not deliver possession until the earliest of April 30, 2004, with the ability to remain in the property, on a month to month basis for up to an additional four (4) month period if necessary.

**LEASEBACK PROVISIONS:** The County agrees to pay One Thousand Dollars and No Cents (\$1,000.00) per month for each month it possesses the property after the transfer of title to the successful bidder. The County agrees to be responsible for all utilities, minor maintenance, property insurance and real estate taxes during the term of its possession. The successful bidder must accept the Lease Agreement or a lease

agreement that is substantially the same.

**DISCLOSURE:** The property to be sold hereby is sold "AS IS, WHERE IS" and potential bidders are urged to perform due diligence prior to submitting a bid. No warranties of any kind whatsoever, either express or implied, are made by Washoe County concerning the parcel in question, its condition, its value, any rights or obligations connected with the property, or the state of title to this property. The successful bidder will take title from Washoe County subject to any and all physical conditions, property easements and encumbrances, including taxes of record. Any water rights appurtenant to the property shall remain in the ownership of the County. This real property is offered without water rights and without representations thereof, and further is subject to any and all recorded easements, rights of way and tax matters of record. The existing delivery commitment of water from Truckee Meadows Water Authority (TMWA) will remain with the property.

**TITLE TRANSFER:** Title to the Property shall be transferred subject to easements, rights of way and any tax matters of record, from Seller to Buyer by Quitclaim Deed and recorded by Seller at its expense within three (3) business days of final approval by the Washoe County Board of Commissioners of Buyer's successful bid and satisfaction of sale conditions.

**AUTHORITY:** The successful bidder represents and warrants that it/he/she has the legal power, right and authority to bid on and purchase this real property and to enter into the Purchase Agreement and the Lease Agreement referenced herein, and to consummate this transaction.

**DEED AND FUNDS:** Upon approval of this Resolution, and the satisfaction of all terms and conditions contained in the Purchase Sale Agreement and the Lease Agreement, the Board of County Commissioners hereby authorize the Chairman to execute a Quit Claim Deed for this real property in favor of the successful bidder, and further direct the Comptroller to deposit all funds received from this auction to 9204152-5891 (County Property Sales).

This Resolution shall be effective on passage and approval.

The County Clerk is hereby directed to distribute copies of the Resolution to the to the Comptroller, Finance, Purchasing, Assessor, Treasurer and Public Works.

#### **EXHIBIT A - LEGAL DESCRIPTION**

The land referred to herein is situated in the State of Nevada, County of Washoe, described as below:

**Washoe County Assessor's Parcel 012-150-16**

PARCEL 1:

Township 19 North, Range 19 East, M.D.B & M.:

Section 12:

That portion of the Northwest quarter of the Southeast quarter, said portion lying North of the North right of way line of Mill Street and Easterly of the East right of way line of Pringle Way.

EXCEPTING THEREFROM any portion lying Northerly of the South line of the property conveyed to the UNITED STATES OF AMERICA by a Deed recorded November 29, 1939 in Book 125, page 498 as Document No. 89104, Deed Records and lying Northerly of the South line of the property conveyed to WASHOE MEDICAL CENTER, INC. by a Deed recorded June 1, 1987 in Book 2559, Page 117, Document No. 1166961, Official Records.

PARCEL 2: Township 19 North, Range 19 East, M.D.B. & M.:

Section 12:

That portion of the Southwest quarter of the Southeast quarter lying North of Mill Street.

**03-497      ACCEPTANCE OF MID-YEAR REPORT – UNAUDITED  
FINANCIAL STATEMENTS – WATER RESOURCES**

Upon recommendation of Jerry McKnight, Finance Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that the mid-year report and interim unaudited financial statements from Water Resources, per the Department's financial policies, be accepted.

**03-498      LINE EXTENSION REIMBURSEMENT POLICY – WATER  
RESOURCES**

Upon recommendation of Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that the adoption of a line extension reimbursement policy and procedures for the Department of Water Resources based upon actual cost and actual water demand be approved and authorized.

**03-499            STATUS REPORT – STORAGE OF TRUCKEE MEADOWS  
WATER RECLAMATION FACILITY EFFLUENT AT HUFFAKER  
HILLS RESERVOIR – WATER RESOURCES**

Upon recommendation of Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that receipt of a status report on the request that Washoe County received from the Cities of Reno and Sparks to begin dialogue relative to storing Truckee Meadows Water Reclamation Facility effluent at Washoe County's Huffaker Hills Reservoir be acknowledged.

**03-500            AGREEMENT – SHAW ENGINEERING – WARM SPRINGS  
RANCH WASTEWATER TREATMENT FACILITIES – WATER  
RESOURCES**

Upon recommendation of John Collins, Utility Services Manager, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, it was ordered that the Director of the Department of Water Resources be authorized to execute an Agreement for consulting engineering services between the County of Washoe and Shaw Engineering in the amount of \$59,400, concerning preparation of a facilities plan for the Warm Springs Ranch Wastewater Treatment Facilities.

**03-501            INTERLOCAL CONTRACT – DCFS REIMBURSEMENT – CHILD  
PLACEMENT – SOCIAL SERVICES**

Upon recommendation of Mike Capello, Social Services Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, it was ordered that an Interlocal Contract between the County of Washoe, Department of Social Services, and the State of Nevada, Department of Human Resources, Division of Child and Family Services (DCFS), concerning State reimbursement costs for the placement of children in State custody into contract foster homes or Kids Cottages be approved and Vice Chairman Shaw be authorized to execute the same. It was noted this contract is a two-year extension effective July 1, 2003 through June 30, 2005.

**03-502            AGREEMENT – AUTOPSY SERVICES – EL DORADO COUNTY,  
CALIFORNIA – CORONER**

Upon recommendation of Vern McCarty, Coroner, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, it was ordered that an Agreement for Services #561-S0311 between the County of Washoe and the County of El Dorado,

California, concerning the provision of autopsy, toxicology and medical examination services, be approved and Vice Chairman Shaw be authorized to execute the same.

**03-503            FIRST AMENDMENT TO LEASE AGREEMENT – DESIDERIO PROPERTIES – JUVENILE SERVICES COMMUNITY RESOURCE OUTREACH CENTER – GENERAL SERVICES**

Upon recommendation of Jean Ely, General Services Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, it was ordered that the First Amendment to the Lease between the County of Washoe and Desiderio Properties, a Nevada Limited Liability Partnership, concerning the renewal of a lease of space for operation of the Juvenile Services Community Resource Outreach Center at 1665-1675 Sullivan Lane for an additional 36-month period retroactive to May 1, 2003, and for such other terms and conditions as stated therein, be approved and Vice Chairman Shaw be authorized to execute the same.

**03-504            FIRST AMENDMENT TO LEASE – ERLACH FAMILY TRUST – GENERAL SERVICES**

Upon recommendation of Jean Ely, General Services Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, it was ordered that the First Amendment to Lease between the County of Washoe, Lessee, and The Joseph and Sheila Erlach Family Trust through Joseph W. Erlach, Co-Trustee, Lessor, and J & S Erlach Properties, LLC, Assignee, concerning a change in Lessor and to identify authorized signatory as the Managing Member of the Assignee, be approved and Vice Chairman Shaw be authorized to execute the same.

**03-505            LEASE AGREEMENT – WASHOE LITTLE LEAGUE, INC. – SOUTH VALLEY CONCESSION BUILDING – GENERAL SERVICES**

Upon recommendation of Jean Ely, General Services Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, it was ordered that the Lease Agreement between the County of Washoe and Washoe Little League, Inc., concerning lease of the South Valley Concession Building located at the South Valley Regional Sports Complex, and for such other terms and conditions as stated therein, retroactive to April 1, 2003 through March 30, 2008, be approved and Vice Chairman Shaw be authorized to execute the same.

**03-506**

**AGREEMENT – DEPARTMENT OF TRANSPORTATION –  
FLASHING BEACON – SOUTHWOOD AND NORTHWOOD  
BOULEVARDS – INCLINE VILLAGE – PUBLIC WORKS**

Upon recommendation of Clara Lawson, Engineering Division, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, it was ordered that a Cooperative Agreement between the County of Washoe and the State of Nevada, Department of Transportation (NDOT), concerning design, construction and maintenance of a flashing beacon warning system at the eastern intersection of State Route 28 with Northwood/Southwood Boulevard in Incline Village, be approved and Vice Chairman Shaw be authorized to execute the same. It was noted that the estimated cost is \$84,147 with the County paying 25 percent, as well as maintenance under \$1,000; Incline citizens paying 25 percent; and NDOT paying 50 percent, as well as poles, mast arms and meter pedestal maintenance and repair over \$1,000. It was further ordered that \$25,000 from the Incline Crosswalk Safety Committee be accepted.

**03-507**

**CAPITAL CONTRIBUTION FRONT ENDING AGREEMENT –  
REGIONAL TRANSPORTATION COMMISSION – WEST CALLE  
DE LA PLATA – PUBLIC WORKS**

Upon recommendation of Clara Lawson, Engineering Division, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, it was ordered that the Capital Contribution Front Ending Agreement #5255 between the County of Washoe, Regional Transportation Commission, Barker Coleman Construction and Spanish Springs Associates, concerning design, construction and right-of-way dedication for West Calle de la Plata, be approved and Vice Chairman Shaw be authorized to execute the same.

**03-508**

**INTERLOCAL AGREEMENT – RENO-SPARKS  
CONVENTION & VISITORS AUTHORITY – JOINT  
PARKING AREAS – PUBLIC WORKS**

Upon recommendation of Darrell Craig, Facilities Superintendent, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, it was ordered that an Interlocal Agreement between the County of Washoe and the Reno-Sparks Convention & Visitors Authority (RSCVA), to identify those areas around the 9<sup>th</sup> and Wells County Complex mutually agreed upon as the Joint Parking Area, to establish parking lot maintenance responsibilities for the two respectively managed properties, and to permit the RSCVA to raze the Armory for the purpose of developing additional parking be approved and Vice Chairman Shaw be authorized to execute the same.

**CORRECTION OF FACTUAL ERRORS – ASSESSOR**

Upon recommendation of Jean Tacchino, Assistant Chief Deputy Assessor, and Tom Sokol, Personal Property Supervisor, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, it was ordered that the following Roll Change Requests, correcting factual errors on tax bills already mailed, be approved for the reasons stated thereon. It was further ordered that the Order on each roll change directing the Treasurer to correct the error be approved and the Chairman be authorized to execute the same.

<b>NAME</b>	<b>APN #</b>	<b>AMOUNT</b>	<b>ROLL</b>
Fitness Millenium	2/689-000	[-\$54.90]	2000 Unsecured
Steam Away Carpet Cleaning	2/108-308	[-\$176.45]	2001 Unsecured
Fitness Millenium	2/689-000	[-\$37.51]	2001 Unsecured
City Center Apartments	2/039-049	[-\$1,113.49]	2002 Unsecured
P C Smith	2/100-422	[-\$21.63]	2002 Unsecured
First Nation Gaming LLC	2/101-552	[-\$261.88]	2002 Unsecured
Bruce Elder Painting	2/104-496	[-\$41.47]	2002 Unsecured
Official Reservation Services	2/104-450	[-\$19.24]	2002 Unsecured
Agan Consulting Corporation	2/105-284	[-\$76.99]	2002 Unsecured
Michael George Originals Inc	2/105-464	[-\$17.10]	2002 Unsecured
Valley Maintenance & Janitorial	2/114-416	[-\$574.92]	2002 Unsecured
Janie Jandreau	2/180-748	[-\$34.57]	2002 Unsecured
Real Estate & Construction Software	2/182-894	[-\$184.41]	2002 Unsecured
U S Bancorp Equipment Finance	2/190-176	[-\$2,093.96]	2002 Unsecured
Taylor Made Digital Systems	2/190-455	[-\$17.20]	2002 Unsecured
C I T Group Equipment Financing Inc	2/191-350	[-\$1,212.73]	2002 Unsecured
Designer Floors	2/200-317	[-\$21.64]	2002 Unsecured
Creative Catering	2/210-485	[-\$69.65]	2002 Unsecured
House of Bread	2/210-581	[-\$420.00]	2002 Unsecured
Port of Subs #3	2/211-027	[-\$772.84]	2002 Unsecured
Homestake Mining Company	2/454-023	[-\$2,632.66]	2002 Unsecured
T L C Builders	2/461-403	[-\$42.28]	2002 Unsecured
The Senior Advocate	2/520-017	[-\$164.12]	2002 Unsecured
Junior League of Reno	2/645-001	[-\$400.89]	2002 Unsecured
Lodgenet Entertainment Corp	2/680-077	[-\$25.35]	2002 Unsecured
Charles A. Hayes	53/00-095	[-\$146.07]	2002 Unsecured
John & Rhonda Martin	050-362-20	[-\$310.47]	2002 Unsecured
Miguel & Maria S. Simental	085-770-35	[-\$443.07]	2002 Unsecured

**03-510**            **APPOINTMENTS – ORGANIZATIONAL EFFECTIVENESS  
COMMITTEE – EXPAND NUMBER OF MEMBERS**

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that Paul Curtis be reappointed to the Organizational Effectiveness Committee (OEC) with a term to expire December 31, 2005; that David Funk be appointed to the OEC as an At-Large Member with a term to expire December 31, 2005; and that the number of members of the OEC be expanded from 14 to 15 to include a representative of the Washoe County employee bargaining units.

**03-511**            **AWARD OF BID – JANITORIAL SERVICES, SOUTH VALLEYS  
LIBRARY – BID NO. 2388-03 – PUBLIC WORKS**

This was the time to consider award of bid for janitorial services, South Valleys Library, for the Facility Management Division of the Public Works Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on April 9, 2003. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

- McNeil's Cleaning Service
- Qual-Econ U.S.A. Inc.
- Sun West Building
- Ambrose Building Maintenance
- F.A.A.D. Janitorial

The bid received from Best Janitorial Services, Inc., was disqualified because it was not signed.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Galloway, seconded by Vice Chairman Shaw, which motion duly carried with Chairman Humke temporarily absent and Commissioner Sferrazza voting "no," it was ordered that Bid No. 2388-03 for janitorial services, South Valleys Library, for the Facility Management Division of the Public Works Department be awarded to F.A.A.D. Janitorial, the lowest responsive and responsible bidder meeting bid specifications, terms and conditions, in the amount of \$1,170.00 per month and an approximate first clean-up at \$106.36 for a total estimated bid award amount of \$28,186.36 for the two-year contract period. It was noted the services are to be provided six days a week, Monday through Saturday.

It was further ordered that the Purchasing and Contracts Administrator be authorized to enter into a two-year Agreement with F.A.A.D. Janitorial for said services commencing May 1, 2003 through April 30, 2005 with one two-year renewal option. It

was noted that prices are to remain firm for the duration of the original Agreement, and pricing for any renewal Agreement shall be subject to renegotiations.

Commissioner Sferrazza explained that he voted against this bid award because the people employed by F.A.A.D. Janitorial make less than they would if they were County employees and he does not believe that is appropriate.

**03-512            AGREEMENT – OUTSOURCE BILLING/COLLECTION OF SPECIAL ASSESSMENT DISTRICTS – ASSESSMENT MANAGEMENT GROUP – TREASURER**

Tammi Davis, Deputy Treasurer, responded to questions explaining how staff arrived at the cost figures. She also advised that the bills for special assessment districts are separate from the tax bills.

Noting the agreement is for one year, Commissioner Sferrazza requested that any renewal of the agreement be reviewed and approved by the Board.

Upon recommendation of Bill Berrum, Treasurer, on motion by Commissioner Sferrazza, seconded by Commissioner Weber, which motion duly carried with Chairman Humke temporarily absent, it was ordered that the Professional Services Agreement between the County of Washoe and Assessment Management Group, Inc., concerning outsourcing of billing/collection of special assessment districts, be approved and Vice Chairman Shaw be authorized to execute the same. It was further ordered that any subsequent renewal agreements be brought to the Board for approval. It was noted the estimated annual amount is \$59,000; which may vary year to year based on services required and number of districts outsourced; the choice of whether to outsource a district for billing or to bill a district in-house will be made at the Treasurer's discretion and, at this time, the Washoe County Treasurer recommends all existing special assessment districts be outsourced.

**03-513            APPOINTMENT – DIRECTOR OF SENIOR SERVICES**

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that Marietta Bobba be appointed as Director of Washoe County Senior Services at an annual salary of \$86,507.20 effective June 16, 2003. Katy Singlaub, County Manager, introduced Ms. Bobba, who thanked the Board for choosing her.

**03-514            REPORT ON PUBLIC INPUT REGARDING 2003/2004 BUDGET SURVEY**

Chris Matthews, E-Government Information Officer, advised that almost 800 comments were received concerning the budget through an online budget survey, a written survey and at the April 10, 2003 town hall meeting. Katy Singlaub, County

Manager, reported the citizen responses were considered during the budget process.

Upon recommendation of Mr. Matthews, through Kathy Carter, Community Relations Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that receipt of the report on public input gathered through the online budget survey, the written survey and the town hall meeting regarding Washoe County's 2003/2004 budget be acknowledged.

**03-515            FISCAL YEAR 2003/2004 TENTATIVE BUDGET – CHANGES –**  
**FINANCE**

Pursuant to discussion at Caucus, Katy Singlaub, County Manager, advised that staff has calculated the percentage of unincorporated area population changes over the last ten years, and the percentage of the total population that the unincorporated area represents today is virtually identical to the percentage ten years ago. She further stated staff has also calculated the property tax impact of the vector control program. She explained key elements of the recommended final budget include keeping the overall property tax rate the same, except for adjustments based on State mandates, legislative overrides or voter approvals, and the departmental base budget reductions total approximately \$12.6 million which reflects restoring about \$2.5 million based on input from public surveys and Board recommendations. Ms. Singlaub said the total base budget reduction is approximately six percent and the cuts represent reducing funding for about 86 more positions, which are in addition to the 44 permanently eliminated positions over the last couple of years. She further said no above base requests have been recommended for approval in any department. She stated an update of the County's Hay salary system is being recommended to ensure the County is keeping within market salary comparisons. Ms. Singlaub said other recommendations include: restoring 11 of 14 deputy positions previously recommended for elimination in the Sheriff's Office, and is consistent with a staffing study underway in the Sheriff's Office; restoring two attorney positions in the District Attorney's Office; restoring two appraiser positions in the Assessor's Office; and restoring the entire general fund transfer to the Health Department for their base budget transfer of \$273,000. She said approximately \$300,000 would be allocated to an employee transition account to assist with early retirement incentives and training and development for employees who may have to be terminated from County employment.

John Sherman, Finance Director, explained the cost containment program is derived through salary savings, taking budget authority away from departments and holding positions vacant for a period of time. He said it is anticipated some salary savings that are not truly budgeted would be used next year, but there will also be turnover and the budgeted but vacant position dollars would be captured to help fund part of next year's budget. For example, although some positions in the Sheriff's Office were reinstated, there is no funding attached to them. He stated sufficient salary savings from turnover are anticipated to fund those positions.

In response to Commissioner Sferrazza, Mr. Sherman stated Joanne Ray, Human Resources Director, said she has one proposal for approximately \$24,000 to do the Hay survey.

Commissioner Sferrazza stated he received questions and concerns regarding the County spending millions of dollars on the new computer accounting system, WINnet, and hiring temporary people to replace the employees pulled from their regular jobs to work on WINnet. Mr. Sherman responded that project has a history of many years in terms of planning for the capital acquisition and capital infrastructure, and happened to get included in this timeframe. Ms. Singlaub said the temporary employees have a termination date within approximately 18 months and Mr. Sherman stated not all the backfill positions authorized by the Board were filled because budget constraints were recognized. Commissioner Sferrazza said he appreciated all of staff's work, but he could not support a budget that includes layoffs. He further said, if necessary, he feels there are areas that could be cut to fund the positions. Mr. Sherman stated it is not being recommended to layoff any employees. He said to the extent there is turnover and vacancies, there would be a reduction in the workforce, employees could be moved around, and it is not believed there will be layoffs.

In response to Commissioner Galloway concerning vector control, Mr. Sherman said the salary, wages, supplies and services to run that program would probably amount to a little less than one-half of one cent. Commissioner Galloway stated he would not want the money to be used for this year's budget, and asked about the feasibility of building up a reserve fund before using the monies. Mr. Sherman responded it could be a policy directive by the Board. He said the Board does have the latitude under its taxing authority to do this right now. Commissioner Sferrazza said he supported the one-half of one cent, he would prefer to budget it now, not put it in reserve, and part of the \$500,000 that was relieved from the Health fund be budgeted back in for other purposes.

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion carried 3 to 1 with Chairman Humke temporarily absent and Commissioner Weber voting "no," Vice Chairman Shaw ordered that staff prepare two options to bring back to the Board, both of which would include one-half of one cent additional tax rate dedicated first for vector control and second for other Health Department uses, but under one option, the increased rate would not go into the General Fund until there was a reserve of \$1 million, and the second option would not involve building a reserve.

Kathy Burke, Washoe County Recorder, said she was happy to hear the County was able to balance a budget. She stated she is trying to do the best for the public as the County Recorder. She said the volume in the Recorder's Office has increased over 250 percent, and she did appeal for one position. She also said, as Recorder, she has never appealed her budget. Ms. Burke stated, in the future, she would hope to learn about what happens to her appeal other than by omission. She explained she has three employees that are pregnant and each will be out for 12 weeks this year. She said

customers come in and ask why the Office is so busy and if she needs more staff. She stated her Office will continue to work hard and they are dedicated to Washoe County and the public. Discussions then ensued concerning possible options and the \$3 technology fund fee collected by the Recorder's Office. Ms. Burke said the title companies, attorneys, Nevada Land Title Association, developers, surveyors and everyday customers wanted technology to their home and were willing to pay for that through recording fees. She stated the number one position she asked for was an Information Technology (IT) person and she asked for two recording positions, all of which were denied, but she would have taken any one. Commissioner Weber said she believes the Recorder's Office does need help and Commissioner Sferrazza stated he would be willing to approve another position, but he would ask the Recorder's Office to contribute some money from the technology fee. Ms. Burke said she would be happy to discuss options and she would also agree to give the position back through attrition if the workload decreased. Mr. Sherman said Finance would work with the Recorder's Office to determine whether there is any room to pay for a position from the technology fee.

Commissioner Galloway discussed public comments concerning Skyfire and stated, unless the public says they want to pay more taxes, it would be difficult to continue to donate to each of the Cities of Reno and Sparks for their events when positions are being eliminated, which creates an impact on public service. Commissioner Sferrazza said he feels Skyfire is a Washoe County event because it takes place in a Washoe County park and it is for the entire community. He stated he would like to restore Skyfire or at least reduce its funding the same percentage other items have been reduced, and he suggested restoring \$9,000 to Skyfire to be funded out of the ending fund balance. Commissioner Weber said the community needs to support these types of social activities, especially during the budget crisis. Commissioner Sferrazza made a motion to restore \$9,000 for Skyfire, but only if the event is held at a County park. The motion died for lack of a second.

On motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried with Chairman Humke temporarily absent, Vice Chairman Shaw ordered that a position for the Recorder's Office be authorized and some of the technology funds, or the \$3 collected by the Recorder's Office that goes into the General Fund, be contributed based on what the Finance Department determines is available or that staff at least bring it back to the Board.

### **03-516            BUDGET APPEAL – DISTRICT COURT**

Honorable James Hardesty said he just received the break down of the proposed budget and has not had an opportunity to study the Finance Department's seven percent cuts in the District Court's budget. He explained if this budget is implemented, the Court would lay off four people. He asked the Board not to cut the Court's budget by seven percent based on several factors. First, he said the cuts made in other areas of the criminal justice system were less than seven percent. Second, there are two items contained within the District Court's budget that he said should not be part of the budget against which cuts are made: Court Appointed Counsel and Court Services. Judge

Hardesty stated the Court Appointed Counsel budget of \$181,000 is included in the District Court for accounting purposes, but it is a County, not a Court, obligation. He then explained the Court's management efforts have saved the County documented savings between \$200,000 and \$300,000 from what had been spent in previous fiscal years. Concerning the \$1.5 million Court Services budget, Judge Hardesty said it would be foolhardy to reduce that by a dime. He stated Court Services plays an integral role in managing the jail population. He also said it is unrealistic and unfair for the District Court to pick up a seven percent cut for Court Services. He then urged the Commission to either cut the District Court budget by four percent of the total \$12.5 million, which would be a cut of \$503,933, or not include Court Services and Court Appointed Counsel in the District Court budget and cut the budget by \$434,810.

**\*3:34 p.m.** Chairman Humke arrived at the meeting, but did not assume the gavel.

Judge Hardesty stated approximately \$100,000 was budgeted for Drug Court collections, but approximately \$151,000 has been collected with two months to go and he asked that this surplus be applied toward the cuts that would be made. He further said the Finance Department made representations in February that cuts made in the budget this year might be used toward cuts in next year's budget and Judge Hardesty stated he relied on that representation and made deep cuts in court reporter transcripts and court reporter certifications. He said there is a difference of opinion between himself and Finance concerning the impact of those cuts. He further stated the cuts may not have produced as much in savings as he projected, but there will be significant savings resulting from this operational change and he asked that those cuts be permitted to be used against the cuts to be made in the Court's budget next year. He also asked that the savings from the Assistant Court Administrator position the Court did not fill be applied, and he said they intend to leave the position vacant until it is known where the Court stands financially with the State.

Judge Hardesty explained the Drug Court budget has been based on a contract with Choices under which the provider is paid \$2,184 per defendant entering Drug Court. He said in October the Board was asked to fund an additional \$104,000 because the Drug Court demand was 25 or 26 defendants and only 18 could be satisfied. He stated the Court did not increase the number of Drug Court defendants beyond 18.6 defendants per month, very little of the \$104,000 was used, and the offer was made to return that to the County. Judge Hardesty said a request for proposals was completed for a new provider for Drug Court, which results in a recommended contract that would be coming before the Board within the next couple of weeks to award a contract to Bristlecone for a provider fee of \$1,850 per defendant. He then stated the Court is continuing to make budget cuts and considers those cuts to be permanent.

Judge Hardesty said the Court proposes additional revenues from the DUI Traffic School and there has been concern regarding the start-up costs of the School. He said the Court has applied for a grant from the Federal Government that would fund over half of the start-up costs. He also discussed the potential revenues from AB29 and SB106.

Judge Hardesty then asked the Board to set the District Court's budget at four percent of what the Court believes should be \$10.8 million; or do not require a budget cut above four percent of \$12.5 million, which includes both Court Services and court reporter fees, for a total cut of \$503,000. He also asked that the Court be allowed to use some of the cuts and revenue generated this year, as well as the cuts that have been made and expected to be employed next year. He then offered that if AB29 does pass, the District Court would find ways to fund portions of its existing budget with new revenue streams and that would improve the County's end fund balance. Judge Hardesty said it is the continuing offer of the District Court to help the County in the placement of positions that may need to be laid off. He further stated the District Court absolutely agrees not to seek above-base requests until new revenue is substantiated. He said he believes there are approximately six new positions proposed in the Court to be funded through the new revenue streams and the Court has offered to give priority to the County to help fill vacancies where positions might be lost.

Judge Hardesty advised the Board that he received a letter from Mike Specchio, Public Defender, stating a Deputy would be pulled out of Family Court due to the Public Defender's caseload. Judge Hardesty said the Family Court would order the County to pay for that obligation, but Mr. Specchio has committed that he would continue to take Family Court cases with his existing staff if he knows he will get a position filled. Judge Hardesty further advised the Board if the Court achieves the additional funding and if the Board works with the Court in dealing with the budget, the Court would try to find a way to shift that money to fund the position.

In response to Commissioner Galloway, Judge Hardesty explained if the Court were to lay off four employees and new revenues came through, he would seek to restore those positions, but he would rather do the opposite. It was agreed that something could probably be worked out with staff through other cuts within the District Court's budget.

John Sherman, Finance Director, said when the budget cut issue was identified last year, a seven percent reduction was the target and starting point for balancing next year's budget, and if each department presented seven percent cuts, the impact on individual departments could be jointly analyzed and informed decisions made concerning what adjustments could mitigate the impacts. He stated the Finance Department never had that reference point from the District Court, but if the Board desires to do something other than what is proposed, there are options. He suggested articulating a document that sets forth how the District Court budget would be put together. Mr. Sherman said there were very few cost saving measures this year that allowed credit to an individual department, and the Finance Department was hesitant to give credit to this year's savings to balance next year's budget on a department by department basis due to the randomness of the cost cutting measures available to some departments and not others. In response to Commissioner Shaw, Mr. Sherman stated using Judge Hardesty's proposed four percent cut could be a starting point to close the budget.

In response to Commissioner Sferrazza, Judge Hardesty explained the District Court has 19 positions that were vacant from six to 38 weeks before being filled. Judge Hardesty also stated the District Court did not adhere to a nine month hiring freeze policy. He said the Court has returned \$100,000 in sweeps for the second and third quarters of this year from their budget.

Commissioner Galloway stated he did not think the Court's budget should include using money that was created by vacancies and Judge Hardesty withdrew that suggestion.

On motion by Commissioner Sferrazza, seconded by Chairman Humke, which motion duly carried, Vice Chairman Shaw ordered that staff work with the District Court and aim toward a budget cut of four percent, without the other offsets discussed, and present some options to the Board.

Chairman Humke resumed the gavel.

**03-517      BILL NO. 1375 – AMENDING WCC CHAPTER 20 – IMPOSE  
ADDITIONAL .125 (1/8 CENT) SALES TAX FOR PUBLIC  
TRANSIT – REGIONAL TRANSPORTATION COMMISSION**

Bill No. 1375, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE, CHAPTER 20, TO REFLECT PASSAGE BY THE VOTERS IN WASHOE COUNTY IN THE NOVEMBER 5, 2002 GENERAL ELECTION OF WC-2, THE TRANSPORTATION ADVISORY QUESTION, TO OBTAIN NECESSARY ADDITIONAL FUNDING FOR TRANSPORTATION PROJECTS, AND AS AUTHORIZED BY PASSAGE OF S.B.237, TO IMPOSE AN ADDITIONAL .125 (1/8 CENT) SALES AND USE TAX FOR A PUBLIC TRANSIT SYSTEM, CONSTRUCTION, MAINTENANCE AND REPAIR OF PUBLIC ROADS, FOR THE IMPROVEMENT OF AIR QUALITY OR FOR ANY COMBINATION OF THOSE PURPOSES; TO AMEND CHAPTER 20 TO CHANGE THE NAME OF THE PUBLIC TRANSPORTATION TAX ORDINANCE TO THE PUBLIC TRANSIT AND ROAD TAX ORDINANCE AND AMEND SUCH ORDINANCE TO CONFORM TO CHANGES IN STATE LAW; TO AMEND CHAPTER 20 TO ADD PROVISIONS ALLOWING THE ADDITIONAL .125 (1/8 CENT) TO BE EXPENDED FOR THE CONSTRUCTION, MAINTENANCE AND REPAIR OF PUBLIC ROADS AND FOR THE IMPROVEMENT OF AIR QUALITY, IN ADDITION TO EXPENDITURE FOR A PUBLIC TRANSIT SYSTEM, OR ANY COMBINATION OF THOSE PURPOSES AS AUTHORIZED BY NRS 377A.020; TO PROVIDE FOR AMENDMENT OF THE CONTRACT BETWEEN THE COUNTY AND THE STATE DEPARTMENT OF TAXATION TO IMPLEMENT THE ADDITIONAL .125 (1/8 CENT) SALES AND USE TAX, IF AMENDMENT IS NECESSARY; TO PROVIDE AN EFFECTIVE DATE OF THE ADDITIONAL .125 (1/8 CENT) SALES AND USE TAX; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO" was introduced by Commissioner Sferrazza on

behalf of the Board as a whole; the title was read to the Board; and direction was given to publish legal notice for final action of adoption.

Scott Barnes, Bob Rusk, Harry York, Richard Houts, Jeff Fromm, George Smith and Daniel Costella submitted comment cards, but did not speak, in favor of Bill No. 1375.

**03-518**      **BILL NO. 1376 – AMENDING WCC CHAPTER 20 – IMPOSE NEW EXCISE TAXES ON CERTAIN MOTOR VEHICLE FUELS – REGIONAL TRANSPORTATION COMMISSION**

Bill No. 1376, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE, CHAPTER 20, TO REFLECT PASSAGE BY THE VOTERS IN WASHOE COUNTY IN THE NOVEMBER 5, 2002 GENERAL ELECTION OF WC-2, THE TRANSPORTATION ADVISORY QUESTION, TO OBTAIN NECESSARY ADDITIONAL FUNDING FOR TRANSPORTATION PROJECTS, AND AS AUTHORIZED BY PASSAGE OF S.B. 237, BY IMPOSING NEW COUNTY MOTOR VEHICLE FUEL TAXES; TO INDEX THE NEW COUNTY MOTOR VEHICLE FUEL TAXES TO THE RATE OF INFLATION; TO AMEND THE COUNTY MOTOR VEHICLE FUEL TAX TO CONFORM TO CHANGES IN STATE LAW; TO PROVIDE FOR AMENDMENT OF THE CONTRACT BETWEEN THE COUNTY AND THE STATE DEPARTMENT OF MOTOR VEHICLES TO IMPLEMENT THE NEW COUNTY MOTOR VEHICLE FUEL TAXES, IF AMENDMENT IS NECESSARY; PROVIDING FOR AN EFFECTIVE DATE OF SUCH TAXES; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO" was introduced by Commissioner Sferrazza on behalf of the Board as a whole; the title was read to the Board; and direction was given to publish legal notice for final action of adoption.

Jeff Fromm, George Smith and Daniel Costella submitted comment cards, but did not speak, in favor of the proposed Ordinance.

**03-519**      **TENTATIVE SUBDIVISION MAP CASE NO. TM10-19-97 – CASEY AKA WINTERS RANCH – REQUEST FOR EXTENSION AGREEMENT**

Katy Singlaub, County Manager, said there was considerable concern at Caucus about the turn of events that had put the Casey aka Winters Ranch property up for sale. Randy Lane, Falcon Capital, LLC, said Falcon Capital supports the transfer to public ownership, and is willing to commit to not putting any of the property identified by the Bureau of Land Management (BLM), the Forest Service or Washoe County up for sale through the next extension.

Alicia Reban, Executive Director, Nevada Land Conservancy, reviewed the history of the Casey aka Winters Ranch and its potential acquisition.

In response to Commissioner Sferrazza, Mr. Lane said Thane McCall's company was employed by Falcon Capital to dispose of remnants that were of no value to Falcon Capital.

Tina Nappe submitted a comment card in support of the Agreement Extension.

Tom Hall, representing the West Washoe Association, spoke about the Resolution signed by this Board on June 8, 1999. He requested a six month extension be granted and monitored closely to effectuate the goal.

Bob Rusk spoke as Chairman of the West Washoe Citizen Advisory Board (CAB) and member of the working group. He stated the process requires faith and there has been a lot of faith. He said Mr. Lane and Falcon Capital have not failed anyone and he commended them for the job they have done. Mr. Rusk also said it was his understanding that a one year extension was needed to continue the difficult task of appraising the land and water rights. He requested a review in six months.

Gary Schmidt, Washoe County resident, submitted a comment card expressing his support of the efforts to preserve remaining open portions of Washoe Valley and the Casey Ranch Property.

Sam Dehne, Reno resident, said he is adamantly in favor of more open space.

Ms. Singlaub said the acquisition of the property is being funded through the Southern Nevada Public Lands Management Act.

Upon recommendation of Sharon Kvas, Planning Manager, Community Development, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, Chairman Humke ordered that Mr. Lane of Falcon Capital, LLC, current owner of the property known as the Casey aka Winters Ranch property in Washoe Valley, be requested to agree to an additional one year extension, until June 1, 2004, of the June 8, 1999 agreement to postpone the completion and processing of a tentative map (Tentative Subdivision Map Case No. TM10-19-97 – Ophir Lakes) submitted in June of 1997 under the Transition Process. It was further ordered that the agreement extension be approved based on the finding that an extension will provide a significant public benefit if the extensions ultimately facilitate the acquisition of all or a portion of the Casey aka Winters Ranch as open space. It was also ordered that a status report be provided in six months.

03-520

**BILL NO. 1377 – AMENDING WCC CHAPTER 11 –  
DEPARTMENT OF PRETRIAL SERVICES AND ALTERNATIVE  
SENTENCING**

Honorable Harold Albright, Reno Justice Court, stated a joint resolution is being worked on to submit to the Board at the second reading and public hearing. He said they are exploring Pretrial Services and Day Reporting as joint functions.

Chairman Humke disclosed he had an ex parte contact with Judge Albright concerning this issue.

Honorable James Hardesty, District Court, said he appreciated Judges Albright and Dannon accepting his invitation and stated he is trying to bring together all the judiciary in the County to attempt to resolve differences on this subject and return with a joint resolution. In response to Commissioner Galloway, Judge Hardesty said the District Court has no objection concerning introducing the Bill and would hope to come back to the Board with a joint amendment.

Madelyn Shipman, Assistant District Attorney, stated a substantive amendment would require starting over.

Bill No. 1377, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY CREATING THE DEPARTMENT OF PRETRIAL SERVICES AND ALTERNATIVE SENTENCING, CREATING THE POSITION OF CHIEF OF THE DEPARTMENT, SPECIFYING THE QUALIFICATIONS OF THE CHIEF OF THE DEPARTMENT, AUTHORIZING THE HIRING OF ASSISTANTS BY THE CHIEF OF THE DEPARTMENT, SPECIFYING THE DUTIES OF THE DEPARTMENT, IMPOSING FEES TO BE PAID BY PRETRIAL DETAINEES AND PROBATIONERS FOR THE COST OF THEIR SUPERVISION; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO" was introduced by Commissioner Sferrazza; the title was read to the Board; and direction was given to publish legal notice for final action of adoption.

It was noted a 45 day timeframe was requested before the second reading and the Board so directed the Clerk.

**6:20 p.m.** Commissioner Sferrazza left the meeting.

03-521

**KENNEL PERMIT APPEAL – HEATHER SINGER**

Katie Stevens, Animal Control Officer, reviewed background information and the chronological history of complaints received and citations issued concerning the dogs at 8805 Paloma Way in Lemmon Valley. She also responded to questions from the Board.

Heather Singer, applicant, said she was not requesting a kennel permit to breed numerous dogs, but because most of the dogs she has are older dogs she brought with her when she did dog rescue in Fallon. She stated she has had the dogs for many years and has tried to adopt them to good homes. She further said all but three of the dogs are over six years old. Ms. Singer stated eight of the dogs are debarked and the other four wear muzzles during the day when she is not home. She also said there are many dogs in the neighborhood that bark excessively. She explained she chose the house she lives in because it is in the County up against a mountain and has a large brick building for the dogs. Ms. Singer said she has been running an advertisement in the *Reno Gazette-Journal* for a week and had not received any responses to place some of the dogs. She asked the Board to at least grant the kennel permit for seven dogs so that she could keep some of the dogs she has had for six or more years.

Sharon VanSpeybrock, Dominic Russo, Dyan Knittle, Steve Maans and Richard Knittle, Lemmon Valley residents, spoke against the kennel permit for various reasons including: barking, dogs roaming the neighborhood and getting into garbage and defecating on their lawns, odor, barking in the middle of the night, some children are afraid of dogs, and there are CC&R's that state no more than three dogs.

Brian Roberts, residing with Ms. Singer, said the complaints do not seem legitimate.

In response to Commissioner Shaw, Ms. Stevens said the cinderblock building is over 900 square feet and is adequate room for seven dogs.

Following Board discussion, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Humke ordered that the application for a kennel permit for Heather Singer at 8805 Paloma Way in Lemmon Valley be denied and Ms. Singer be given three months to reduce the number of dogs to three.

**03-522            SEALED AND ORAL BIDS – NORTH HILLS BOULEVARD –  
AWARD OF BID – APN 552-131-01- PUBLIC WORKS**

Tom Gadd, Public Works Director, advised that no written bids have been received on the County property located on North Hills Boulevard. He said staff has suggested that oral bids be opened with a minimum bid of \$300,000, and if there are no oral bids, the property be taken off the market for a period of time.

Chairman Humke called for oral bids at a minimum price of \$300,000.00.

John Fuller, Century 21 Miner Realty, submitted a bid of \$300,000 and advised they have a Cashier's Check in the amount of \$60,000, as requested in the process.

Chairman Humke asked if there were any other bids and there was no response. The Chairman closed the bid process.

Gary Schmidt, Washoe County citizen, said he is not a strong supporter of our current Washoe County Assessor. He presented a copy of the Assessor's current appraisal record showing a taxable land value of \$65,000 for this property. He said the Assessor is not very consistent in the way he appraises property.

It was noted that the Board accepted the bid from Mr. Fuller and Chairman Humke was authorized to execute the Purchase and Sale Agreement and Quitclaim Deed concerning the same.

**03-523      SEALED AND ORAL BIDS – SIERRA SAGE GOLF COURSE  
WATER RIGHTS – PARKS AND RECREATION**

Karen Mullen, Director, Parks and Recreation, explained the bidding process for 196.03 acre-feet of water rights originating from the Sierra Sage Golf Course. She stated the solicitation for bids was advertised in the legal notice portion of the newspaper, and a display ad was also published. She advised that one sealed bid was submitted.

Chairman Humke opened the sealed bid and advised it was submitted by North Rim Investments, LLC, for four acre-feet of water rights for a total price of \$40,000. He said he has been advised and he rules that this bid is not responsive because it is not for the entire 196.03 acre-feet, as specified in the bid document.

Chairman Humke called for oral bids for the full block of 196.03 acre-feet of the water rights, and there was no response.

Ms. Mullen advised that staff could advertise again to sell the water rights per acre-foot instead of the entire block. She said staff has learned that some issues may need to be worked out, and they would bring the matter back for Board consideration.

**03-524      OUTDOOR FESTIVAL BUSINESS LICENSE APPLICATION –  
RENO-TAHOE OPEN 2003 GOLF TOURNAMENT –  
COMMUNITY DEVELOPMENT**

**5:30 p.m.** This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on May 2, 2003 to consider the application for an outdoor festival business license for the Reno-Tahoe Open 2003 Golf Tournament. The Reno-Tahoe Open 2003 is to be held on August 18-24, 2003. The event is proposed to be held at the Montreux Golf and Country Club (Assessor's Parcel Numbers 148-010-25, 148-010-31, 148-010-32, 148-061-65, 148-100-02, and 148-140-11) with additional off-site parking located on a vacant parcel generally located south of the intersection of State Route 431 and Wedge Parkway (Assessor's Parcel Number 144-070-03) and on the southern right-of-way extension of U.S. Highway 395 south of State Route 431. Tournament volunteer

staff will be parking at Galena High School (Assessor's Parcel Number 144-010-01). The Reno-Tahoe Open 2003 is a PGA tour sanctioned golf tournament and this event marks the fifth year for the tournament. Event organizers estimate that a maximum of 15,000 spectators will participate in the event on a single day, with a total of 50,000 spectators for the week.

Chairman Humke opened the public hearing and called on those wishing to speak.

Gary Schmidt, Washoe County resident, advised he owns property on Mt. Rose Highway and on U. S. 395 in close proximity to the Montreux Golf Course. He expressed his full support for the issuance of the permit for the golf tournament. He said an abundance of non-gaming outdoor open space recreational and sports activities is important to Washoe County's economic vitality.

There being no one else wishing to speak, Chairman Humke closed the public hearing.

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that the outdoor festival business license for the Reno-Tahoe Open 2003 Golf Tournament to be held on August 18-24, 2003 at the Montreux Golf and Country Club be approved, subject to the following conditions:

LICENSING REQUIREMENTS FOR AN OUTDOOR FESTIVALS BUSINESS  
LICENSE RENO-TAHOE OPEN 2003 GOLF TOURNAMENT

AT THE PUBLIC HEARING HELD ON MAY 13, 2003 AS REQUIRED UNDER WASHOE COUNTY CODE §25.277, THE WASHOE COUNTY BOARD OF COMMISSIONERS (BOARD) ESTABLISHED CONDITIONS WHICH MUST BE MET PRIOR TO THE ISSUANCE OF ANY OUTDOOR FESTIVAL BUSINESS LICENSE PURSUANT TO WASHOE COUNTY CODE §25.263 TO §25.305, INCLUSIVE. SUCH CONDITIONS MAY BE IMPOSED BY THE BOARD UNDER THE COUNTY'S GENERAL POLICE POWER AS MAY BE NECESSARY UNDER ALL THE CIRCUMSTANCES NECESSARY FOR THE PROTECTION OF THE HEALTH, WELFARE, SAFETY AND PROPERTY OF LOCAL RESIDENTS AND PERSONS ATTENDING AN OUTDOOR FESTIVAL IN THE COUNTY, INCLUDING, WITHOUT LIMITATION, THE CONDITIONS SPECIFIED IN WASHOE COUNTY CODE §25.291 TO §25.305, INCLUSIVE (SEE CONDITIONS LISTED BELOW).

COMPLIANCE WITH THE CONDITIONS OF THIS LICENSE IS THE RESPONSIBILITY OF THE LICENSEE AT THE LICENSEE'S EXPENSE. FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED BY THE COUNTY COMMISSION MAY CAUSE WASHOE COUNTY TO NOT ISSUE THE BUSINESS

LICENSE OR FOR THE COUNTY TO TAKE APPROPRIATE MEASURES TO REVOKE OR SUSPEND THE BUSINESS LICENSE.

WASHOE COUNTY RESERVES THE RIGHT TO REVIEW AND REVISE THE CONDITIONS OF THIS APPROVAL SHOULD THE COUNTY DETERMINE THAT A SUBSEQUENT LICENSE OR PERMIT ISSUED BY WASHOE COUNTY VIOLATES THE INTENT OF THIS APPROVAL.

**THE APPLICANT SHALL SUBMIT ALL REQUIRED PLANS, PERMITS, DOCUMENTATION, ETC. TO THE IDENTIFIED RESPONSIBLE AGENCY. THE APPLICANT SHALL PROVIDE WASHOE COUNTY BUSINESS LICENSE WITH PROOF OF COMPLIANCE PURSUANT TO WASHOE COUNTY CODE §25.283(1) WITH ALL CONDITIONS BY AUGUST 8, 2003. WASHOE COUNTY BUSINESS LICENSE WILL ISSUE THE OUTDOOR FESTIVAL BUSINESS LICENSE AFTER DETERMINING THAT ALL OF THESE CONDITIONS HAVE BEEN MET AND THAT ALL APPLICABLE FEES AND DEPOSITS HAVE BEEN PAID.**

#### GENERAL CONDITIONS

1. Police protection (Sheriff):  
(Staff contact: Deputy Ron Breaux, 328-6328; 2:00 p.m. - 10:00 p.m. workdays except Monday)
  - a. Applicant will contract with either a private security firm licensed in the State of Nevada or with the Washoe County Sheriff's Office to provide security. All security personnel employed by a private security firm will have current Washoe County security guard work permits. The number and type of security personnel to provide for the preservation of order and protection of persons and property in and around the place of the event shall be determined and specified by the Sheriff.
  - b. Applicant will also be responsible for all costs incurred by the Washoe County Sheriff's Office (WCSO) to provide police protection for the event and the community. To ensure personnel and equipment costs are met by the licensee, a cash bond of the estimated cost will be required to be placed with the Sheriff's Office.
  - c. Security personnel will have radio communication with the WCSO at all times and authority and control of this augmented security force will be subordinate to all on-scene law enforcement personnel.
  - d. Vehicle and pedestrian access controls will be established to the satisfaction of the WCSO.
  - e. Hours of operation will be enforced by on-site security personnel and the WCSO.
  - f. Centrally located sites for a command post and staging area for the WCSO will be provided, including power and telephone service.

2. Food concessions and attendant sanitary facilities (District Health):  
(Staff contact: Jeffrey M. Brasel, 328-2620)
  - a. Adequate supply of water from a specified and approved water source shall be provided for the food service operations of Hole-in-One Catering. The promoter shall arrange to tend to their water supply for the duration of the event.
  - b. 5-gallon jugs of water are only acceptable for transport to the food establishments if the jugs are food grade (e.g., drinking water jugs).
  - c. All food-service operations shall be at a minimum of 50 feet from portable toilet facilities.
  - d. All food-service operations shall be situated to prevent potential flooding and/or contamination from sprinkler spray or runoff, non-potable water spray (e.g., dust control), or portable toilets.
  - e. All water lines or hoses used for the Temporary Food Service Operations shall be food grade and equipped with an approved back-flow prevention device.
  - f. Hole-in-One Catering shall secure Temporary Food Establishment permits for the event through the Environmental Health Services Division of the Washoe County District Health Department and shall meet all of the requirements of Temporary Food Service Establishment operations of the Regulations of the Washoe County District Board of Health Governing Food Establishments.
  - g. Adequate refrigeration shall be provided for or by Hole-in-One Catering for overnight storage of food.
  - h. Any other vendors selling or sampling food and/or beverage items shall contact the Environmental Health Services Division of the Washoe County District Health Department regarding permit requirements at least 7 days prior to the event.
  - i. Recycling containers for plastic bottles (PTE) must be placed alongside garbage cans and cardboard from the vendors must be separated and recycled.
3. Solid Waste Disposal (District Health)  
(Staff contact: Jeffrey M. Brasel, 328-2620)
  - a. The minimum required sanitation facilities must be approved by District Health to include twelve 250-gallon holding tanks for gray water storage (serviced twice per day) and provisions for dumping, or pumping out, RV and food vender holding tanks.
4. Medical services (District Health)  
(Staff contact: Stephanie Beck, 328-2420)
  - a. The applicant shall provide a dedicated ALS ambulance at the tournament site whenever vendors or spectators are present.
  - b. Summary data on medical contacts for the tournament are to be submitted to the EMS Coordinator at the District Health Department, P.O. Box 11130, Reno, Nevada 89520 within two weeks after the close of the event.
  - c. Biological waste containers (red bags for waste and appropriate sharp containers) are to be provided in the medical van and the two first aid tents. Arrangements should be made for the disposal of these wastes, either through a hazardous waste vendor or the medical providers.

- d. The applicant shall provide a copy of the final map that indicates the sites for medical care.
  - e. The applicant shall provide a copy of the letters sent to the two area acute care hospitals demonstrating prior notice of the tournament and its dates.
5. Illumination (Building and Safety):  
(Staff contact: Charlene Parish, 328-2039)
- a. Applicant must apply for permits for power provision from the Building and Safety Department.
6. Hours of Operation (Community Development)  
(Staff contact: Bob Webb, 328-3623)
- a. The event shall operate only between the hours of 6:30 a.m. until 8:00 p.m. each day from August 18, 2003 until August 24, 2003.
7. Licensing and Inspections (Community Development)  
(Staff contact: Bob Webb, 328-3623 or Karin Kremers, 328-3733)
- a. PGA TOUR Apparel shall obtain an appropriate Washoe County business license.
  - b. Hole-in-One Catering shall obtain appropriate Washoe County business and intoxicating liquor licenses.
  - c. The applicant shall provide Washoe County Code Enforcement with a vehicle pass to gain access to the tournament sites, to include all parking areas, for inspections to verify compliance with these conditions and issued business/liquor licenses.
8. Fire protection (Nevada Division of Forestry):  
(Staff contact: Rich Riolo, 849-2376)  
The following conditions shall be met subject to the approval of the Forestry Division:
- a. Grass and weeds on parking lots at Callahan and freeway shall be cut to a minimum height of 2 inches. A water truck shall water the areas at least once a day, depending on the use and temperatures on a given day.
  - b. Fire extinguishers must be provided for tents, cooking areas and on-site parking areas.
  - c. Applicant must provide a schematic of the location of generators and associated electrical wiring.
9. Indemnification and insurance (Risk Management):  
(Staff contact: Jim Jeppson, 328-2075)
- a. Applicant must provide a copy of an insurance certificate valid for the duration of the Reno Tahoe Open 2003 tournament to Risk Management.
  - b. The sponsor will have all volunteers sign a waiver, which must be reviewed and approved by Risk Management before it is distributed.

10. Performance Security (District Attorney)

(Staff contact: Jim Barnes, 328-3412)

- a. The applicant will be responsible for total clean up of the site. A performance bond pursuant to Washoe County Code §25.305(1) in the amount of \$4,000.00 shall be posted with the Department of Community Development prior to August 8, 2003. The applicant shall provide a written statement with the performance bond guaranteeing the cleanup and restoration of the site to pre-event condition.
- b. The site will be inspected by and approved as to the adequacy of cleanup by the Department of Community Development prior to release of the performance bond.

**03-525            ALTURAS POWER LINE MITIGATION FUNDS – COMMUNITY DEVELOPMENT**

**5:30 p.m.**        This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on May 2, 2003 to discuss and possibly allocate additional money from unallocated Alturas power line mitigation fund interest to the previously approved Combined Community Building/Firehouse Expansion for the Silver Lake Volunteer Fire Station project. This project was approved by the Washoe County Commission on January 23, 2001 for \$333,000 from the Alturas power line mitigation funds. There is a total of \$99,321.57 in unallocated interest money of the Alturas power line mitigation fund from the Silver Knolls/Red Rock Road community area. Proof was made that due and legal notice had been given.

Chairman Humke opened the public hearing and called on anyone wishing to speak. He advised that four people submitted written comments in favor of the allocation of funds. There were no written comments submitted in opposition.

There being no one wishing to speak, Chairman Humke closed the public hearing.

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Humke ordered that the allocation of \$99,321.57 in unallocated interest money from the Alturas power line mitigation fund to the previously approved Combined Community Building/Firehouse Expansion for the Silver Lake Volunteer Fire Station project be approved. It was further ordered that the City of Reno Fire Department and the Department of Public Works be appointed as joint project managers for this additional funding, with the Fire Department as the lead agency; and that the project manager(s) must coordinate with Kim Carlson, Administrative Analyst II, Finance Department, on the availability of any allocated interest money.

03-526

**GENERAL OBLIGATION (LIMITED TAX) BONDS AND  
GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM  
BONDS – ANIMAL SHELTER AND CONTROL FACILITY**

**5:30 p.m.** This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on April 25, 2003 to consider the proposed issuance of general obligation (limited tax) bonds and general obligation (limited tax) medium-term bonds, in one series or more, for the purpose of financing a County building project to be used as an animal shelter and control facility. Proof was made that due and legal notice had been given.

John Sherman, Finance Director, and John Swendseid, Swendseid and Stern, Bond Counsel, were present to provide information.

Chairman Humke opened the public hearing and called on those wishing to speak. There was no response and the public hearing was closed.

03-527

**ORDINANCE NO. 1195 - BILL NO. 1378 – GENERAL  
OBLIGATION (LIMITED TAX) “2003A ANIMAL SHELTER  
BONDS” – REGIONAL ANIMAL SHELTER**

On motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, Chairman Humke ordered that Ordinance No. 1195, Bill No. 1378, entitled, "AN ORDINANCE DESIGNATED AS THE "2003A ANIMAL SHELTER BOND ORDINANCE;" DELEGATING TO THE FINANCE DIRECTOR OF THE COUNTY THE AUTHORITY TO ACCEPT THE BOND PURCHASE PROPOSAL FOR THE PURCHASE OF THE WASHOE COUNTY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) ANIMAL SHELTER BONDS, SERIES 2003A, IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$10,750,000 TO PAY THE COSTS OF AN ANIMAL SHELTER; SPECIFYING THE TERMS AND CONDITIONS OF SUCH BONDS AND THEIR FORM; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL AD VALOREM TAX FOR THE PAYMENT OF THE BONDS; PROVIDING FOR ADOPTION AS IF AN EMERGENCY EXISTS AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH; PROVIDING THE EFFECTIVE DATE HEREOF," be approved and adopted as if an emergency exists and published in accordance with NRS 244.100.

03-528

**ORDINANCE NO. 1196 - BILL NO. 1379 – GENERAL  
OBLIGATION (LIMITED TAX) MEDIUM-TERM BONDS - “2003B  
MEDIUM-TERM BOND ORDINANCE” – REGIONAL ANIMAL  
SHELTER**

On motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, Chairman Humke ordered that Ordinance No. 1196, Bill No. 1379, entitled, "AN ORDINANCE DESIGNATED BY THE SHORT TITLE "2003B

**MEDIUM-TERM BOND ORDINANCE;" AUTHORIZING THE ISSUANCE OF AND SPECIFYING THE TERMS AND CONDITIONS OF THE REGISTERED, NEGOTIABLE, WASHOE COUNTY, NEVADA GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM BONDS, SERIES 2003B, IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$2,575,000 TO PAY THE COSTS OF AN ANIMAL SHELTER; SPECIFYING AND AUTHORIZING THE FINANCE DIRECTOR TO SPECIFY OTHER DETAILS CONCERNING THE BONDS; AND PROVIDING FOR ITS ADOPTION AS IF AN EMERGENCY EXISTS AND THE EFFECTIVE DATE HEREOF,"** be approved and adopted as if an emergency exists and published in accordance with NRS 244.100.

**03-529            LETTER FROM DIRECTOR OF DEPARTMENT OF TAXATION APPROVING MEDIUM-TERM FINANCING – REGIONAL ANIMAL SHELTER**

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Humke ordered that the letter from the Director of the Department of Taxation approving the \$2,575,000 in Medium-Term financing for the Regional Animal Shelter be entered into the record.

**03-530            COMPREHENSIVE PLAN AMENDMENT CASE NO. CP02-015 – CADJEW AND COYNE RESIDENCES – SOUTHWEST TRUCKEE MEADOWS AREA PLAN – COMMUNITY DEVELOPMENT**

**5:30 p.m.**        This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* and mailed to affected property owners by the Department of Community Development on May 2, 2003 to consider a request to amend the Southwest Truckee Meadows Area Plan, being a part of the Washoe County Comprehensive Plan. The amendment request would re-designate Assessor's Parcel Numbers 44-384-12 (2.13 acres) and 44-384-11 (1.00 acre) and a 1.3 acre portion of 44-384-10 (10.63 acres) from the land use designation of General Commercial (GC) to the land use designation of Low Density Suburban (LDS). The parcels considered for the land use change total 4.43+/- acres and are located to the east of Sierra Manor Drive and west of South Virginia Street and north of Vera Drive. The parcels are located within the Southwest Truckee Meadows Area Plan, in a portion of Sections 7 and 8, T18N, R20E, MDM. To reflect changes requested within this application, the table of land uses and the land use map will be revised. The request will require a conformance review by the Regional Planning Agency. Proof was made that due and legal notice had been given.

Roger Pelham, Community Development, provided background information and responded to questions of the Board regarding this item. The purpose of the application is to bring the two parcels owned by the Coyne family into conformance with the uses on the parcels and to allow the construction of a single-family dwelling on the northwest corner of the Cadjew property. He advised the Planning Commission approved the request based upon the historic use of the parcels in question, and both parties have resided at their current locations for a number of years.

Cynthia Albright, Stantec Consulting, representing Mrs. Cadjew, reviewed the project.

Chairman Humke advised that he had ex parte contact with applicant Julie Cadjew. Commissioner Weber disclosed that her husband works for Stantec Consulting, but there is no conflict regarding this issue.

Chairman Humke opened the public hearing and called on anyone wishing to speak. There was no response and the public hearing was closed.

Having made the following findings, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that Comprehensive Plan Amendment Case No. CP02-015 concerning the Cadjew and Coyne residences, be approved.

1. The amendment to the Southwest Truckee Meadows Area Plan is in substantial compliance with the policies and action programs of the Washoe County Comprehensive Plan.

2. The amendment to the Southwest Truckee Meadows Area Plan acknowledges the current use of the properties and is compatible with the properties to the west and south of the subject parcel.

3. The amendment to the Southwest Truckee Meadows Area Plan will not adversely affect the implementation of the policies and action programs of the Conservation Element, the Population Element and/or the Housing Element of the *Washoe County Comprehensive Plan*.

4. The amendment to the Southwest Truckee Meadows Area Plan is the first amendment to the Southwest Truckee Meadows Area Plan in 2003, and therefore does not exceed the three permitted amendments as specified in Section 110.820.05 of the Washoe County Development Code.

5. The Washoe County Planning Commission public hearing, prior to action on the proposed amendment to the Southwest Truckee Meadows Area Plan, and the related changes to the text and maps of the plan, has been properly noticed in a newspaper of general circulation in the County as prescribed under NRS 278.210(1).

6. The Washoe County Planning Commission gave reasoned consideration to information contained within the staff report and information received during the Planning Commissioner public hearing.

7. The Washoe County Commission gave reasoned consideration to information contained within the reports transmitted to the Washoe County Planning

Commission and the Washoe County Commission, and information received during the Washoe County Commission public hearing.

**03-531            PROPOSED AMENDMENTS TO BOUNDARIES - DISTRICT NO. 24 (GROUNDWATER REMEDIATION)**

**5:30 p.m.**        This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on April 25, 2003 to consider proposed amendments to the boundaries of Special Assessment District No. 24 (Groundwater Remediation). Proof was made that due and legal notice had been given.

Jim Ford, Remediation District Program Manager, and John Swendseid, Bond Counsel, were present. County Manager Singlaub stated that amendments are done annually for the public benefit to make any corrections to the district boundaries for new properties that have water service or for properties that have changed in some way.

Chairman Humke opened the public hearing and called on anyone wishing to speak. There being no response, the public hearing was closed.

**03-532            BILL NO. 1380 - AMENDING ORDINANCE NO. 1000 - DISTRICT NO. 24 (GROUNDWATER REMEDIATION) BOUNDARY AMENDMENTS**

Bill No. 1380, entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 1000 CREATING THE WASHOE COUNTY, NEVADA, DISTRICT NO. 24 (GROUNDWATER REMEDIATION) IN ORDER TO CHANGE THE BOUNDARIES OF THE DISTRICT; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF," was introduced by Commissioner Sferrazza, the title read to the Board and legal notice for final action of adoption directed.

**03-533            BILL NO. 1381 – LEVYING FEE - DISTRICT NO. 24 (GROUNDWATER REMEDIATION)**

Bill No. 1381, entitled, "AN ORDINANCE CONCERNING THE WASHOE COUNTY, NEVADA, DISTRICT NO. 24 (GROUNDWATER REMEDIATION); PROVIDING FOR THE PAYMENT OF A PORTION OF THE COSTS OF DEVELOPING AND CARRYING OUT A PLAN FOR REMEDIATION; IMPOSING A FEE TO PAY SUCH COSTS ON THE PARCELS OF LAND IN SUCH DISTRICT NO. 24; DESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF THE FEE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED TOWARD THOSE PURPOSES; AND PRESCRIBING OTHER MATTERS RELATING THERETO," was introduced by Commissioner Galloway, the title read to the Board and legal notice for final action of adoption directed.

**03-534            APPEAL – SPECIAL USE PERMIT CASE NOS. SW02-027, SW02-028, SW02-029, SW02-030 (BURNING MAN) – BRITTNER, JACKSON, FASCIO, STEWART AND WALTERS – APPEAL CASE NO. AX03-006 – COMMUNITY DEVELOPMENT**

**5:30 p.m.**        This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* and mailed to affected property owners by the Department of Community Development on May 2, 2003, to consider an appeal of the Planning Commission's approval of Special Use Permits SW02-027, SW02-028, SW02-029, SW02-030. Special Use Permit Case Number SW02-027 was a request to authorize a custom manufacturing facility, as authorized in Table 110.302.05.4 of the Washoe County Development Code, to construct sculptures and other art objects to be utilized during the annual "Burning Man" festival. Special Use Permit Case Number SW02-028 was a request to authorize an operable vehicle storage facility, as authorized in Section 110.206.10(b)(2)(iv) of the Washoe County Development Code, to store vehicles and "art cars" utilized during the annual "Burning Man" festival. Special Use Permit Case Number SW02-029 was a request to authorize a salvage yard facility, as authorized in Section 110.206.10(c)(2)(vi) of the Washoe County Development Code, to store supplies for the annual "Burning Man" festival. Special Use Permit Case Number SW02-030 was a request to authorize a Commercial Campground/Recreational Vehicle Park, as authorized in Table 110.302.05.3 of the Washoe County Development Code, for the volunteers and staff of the annual "Burning Man" festival. The projects are located approximately 20 miles north of the town of Gerlach in northern Washoe County, approximately one mile past the end of pavement of State Route 34, and one mile east of the intersection of State Route 34 and Jackson Lane. The site is addressed as 88 Jackson Lane. The ±200-acre parcel and the ±80-acre parcel are designated General Rural (GR) in the High Desert Area Plan, and are situated in a portion of Section 36, T35N, R23E, MDM, Washoe County, Nevada. The properties are located in the Gerlach/Empire Citizen Advisory Board boundary and Washoe County Commission District No. 5. (APN 066-030-23 and a portion of 066-030-53). Proof was made that due and legal notice had been given.

Chairman Humke opened the public hearing and called on anyone wishing to speak.

Roger Pelham, Community Development, advised that Black Rock City, LLC organizes the annual Burning Man Festival that occurs on the Black Rock Desert Playa in Pershing County approximately 15 miles northeast of Gerlach. He placed a map on the overhead camera depicting the location of the subject property and the surrounding area. The proposed staging area, known to the applicant as Black Rock Station, is located within the Hualapai Valley approximately 20 miles north of Gerlach. Mr. Pelham stated that the activities in question have been ongoing illegally on the subject parcel, and four special use permits are being requested to allow (1) for a custom manufacturing facility and the objects manufactured for use at the event, (2) for storage of operable vehicles that may be used for operations at the Black Rock Station and as part of the annual event, (3)

for a salvage yard facility proposed to contain material salvaged from Burning Man events for use at subsequent events, and (4) for construction of a commercial campground and recreational vehicle park. He noted that, through an oversight, he did not determine until today that a commercial campground and recreational vehicle park is a use that is allowed under the High Desert Area Plan modifiers and a special use permit would not be required. He provided graphics on the overhead camera depicting a conceptual land use plan for the 200-acre parcel and where the various activities are proposed to be located. He displayed photographs showing some of the land use violations that were occurring on the property, such as accumulated debris, barrels used for fire pits, shade and other structures, and camping. He said staff informed the applicants of the special use permits that would be required to bring the activities on the subject into conformance with the Development Code. Staff did recommend approval of all four special use permits with a number of conditions that had to be met, which he reviewed. Mr. Pelham then discussed the Planning Commission meeting hearing and their approval of the special use permits. He reviewed the appeal document and stated that staff believes the conditions placed on the special use permits are enforceable and attempt to address public health and safety and mitigate the impacts and concerns expressed by the citizens relative to the activities on the surrounding area.

Commissioner Galloway disclosed that he was contacted by Mr. Stewart, one of the appellants, as well as Shirley Dale, Incline Village resident, concerning this matter. Mr. Pelham responded to questions concerning the High Desert Plan, financial assurances, water issues, and fire protection, advising that conditions have been imposed to address these issues. Commissioner Galloway asked how the County could proceed with this special use permit, when it is not known if everyone agrees that it is not necessary.

Commissioner Shaw disclosed that he spoke with Donna Potter, who works with Mike Stewart, briefly at caucus yesterday concerning this matter. He advised that he has known Ms. Potter and Mr. Stewart for a long time. He stated that the Burning Man organization has worked hard to clean things up in recent years, but he is concerned about what the area would look like after the event is over. Mr. Pelham stated he believes the 95 conditions have been crafted in a way that can be monitored.

Commissioner Weber stated this property is in her District and she has tried to remain neutral. She has received many communications in support and in opposition. She was at the agency review meeting where several Black Rock City, LLC members were present, and she believes they really want to make this a better event.

Commissioner Sferrazza disclosed that Shirley Dale, a long time friend, called him and opposed the special use permits. Steve Rogers, Chairman of the Planning Commission, called and opposed the special use permits, and Assemblywoman Chris Giunchigliani expressed her support. He advised he received numerous e-mails and letters in support and in opposition.

Chairman Humke disclosed that Shirley Dale contacted him, and he received numerous e-mails and telephone calls on both sides of the issue.

At the request of Commissioner Galloway, Mr. Pelham placed graphics on the overhead camera and reviewed regulation modifiers.

Louis Test, Attorney representing the appellants, advised they just found out that a special use permit for the RV Park might not be needed. He reviewed regulations from the High Desert Area Plan and stated his opinion is the Plan modifiers refer to the approximate 3200 acres in the Gerlach/Empire area and not to the subject area. He then discussed problems they see concerning the lack of a water supply to service the proposed staging area.

Julia Brittner, Appellant, advised she is a fence-sharing neighbor. She submitted information and a letter from the Gerlach Fire Chief, which she requested be read into the record. County Clerk Amy Harvey read the letter from Willard Gooch, Fire Chief, Gerlach Volunteer Fire Department, dated May 6, 2003 stating this new complex would affect the Gerlach Volunteer Fire Department because of the lengthy response time to the subject and the need for a water supply. Ms. Brittner stated that fire is a major issue, and if the County and the Volunteer Fire Department cannot provide the basic service of fire protection for the property, she does not know how these special use permits could be approved.

Kevin Brittner, Appellant, said he did not feel they were given adequate time to present their case at the April 1, 2003 Planning Commission meeting. He said he does not think it is possible that all the conditions for the RV Park could be met. He stated the special use permit application says there is a pending septic system permit application in place, but there is not; and the existing well on the site was drilled illegally. Mr. Brittner said the water rights have not been proven for the onsite well or for the commercial well being applied for, and there is not adequate emergency access. He advised there are hundreds of inoperable vehicles on the property now, which is not allowed, and they are concerned about materials over eight feet tall and who will enforce all of these conditions.

Donna Potter, representing Appellant Mike Stewart, discussed concerns relative to water rights. She advised in July, 2002 they filed for nine acre-feet of water rights and the State Engineer's Office informed them in January that the basin is over appropriated and requested they withdraw their application. She said two weeks later it was purported that the State Engineer's Office does not seem to have a problem with the Burning Man application. She stated they are not opposed to the Burning Man event but believe the uses in Hualapai Valley should be moved to an appropriate location such as Empire or Gerlach.

Maureen Hill, Maureen Owen Hill Consulting, representing the appellants, advised it seems that staff is loosening up their standards to find a way for these uses to fit on this piece of property. She discussed the High Desert Area Plan regulations and

said they do not believe the proposed uses are allowed under the Plan and that the findings are required for approval under the Development Code and the Area Plan cannot be made.

Louis Fascio, Jr., Appellant, stated he does not oppose the Burning Man event, but questions that the use of the subject property would be temporary. He has been part of conversations where it was indicated that additional activities, such as backpack camping are planned. He does not know how these conditions can be enforced.

Mr. Test summarized they are not opposed to the Burning Man event. They believe it is an exceptional program, but has become so large they have to store items. He does not believe everything could be condensed down to eight acres, and they are asking that the proposed facilities, salvage yard, and operable vehicles be moved to the Gerlach area where that use would be allowed under the High Desert Area Plan. He said they do not believe the finding can be made that this project would not be detrimental to the adjacent property owners because of concerns relating to fire protection, lack of adequate access, inconsistency with the Plan, and eight-foot fences for 30-foot items. He stated there are also issues related to enforcement, no public services, water, or electricity, and no type of sanitation system.

Chairman Humke stated there is some question about the need for the RV campground special use permit, and Legal Counsel Shipman has advised that issue might need to be continued.

Mike Railey, Jeff Codega Planning and Design, Inc., representing Black Rock City, LLC, discussed the comments made today and the appellants' list of 21 reasons for their appeal. He stated that a domestic well is located onsite and the Department of Water Resources has indicated they see no problems with that water source. They have applied for a commercial well, and while that is not guaranteed, if they do not have water, they cannot meet the conditions of the special use permit and the project would not happen. They have been conditioned to have 60,000 gallons of storage along with a water delivery system and a fire hydrant, they have a water tender and a fire truck onsite, and several people that work the event are trained in fire and paramedic services. They do not believe access is an issue, and there would be complaints if anyone sees a problem with what happens on the site. Traffic volumes are minimal, estimated to be about four trips per day. They have agreed to treat the roadway for dust control and maintain it in its current condition. Significant changes are being made and they have agreed to some extravagant conditions and believe the implementation of over 95 conditions would properly mitigate all the impacts. The High Desert Area Plan Development Suitability Map designates the project site as an area most suitable for development; and they believe the findings for approval of the property can be made. They have agreed to plant rows of trees that would grow much higher than the fence in time and believe they have more than adequately mitigated all potential impacts. He said the Burning Man organization wants to be a good neighbor and has a great reputation for a leave no trace ethic on the Playa, which would be applied to this site.

Mike Lindell, Jones, Vargas, Attorneys at Law, addressed issues pertaining to the Development Code and the High Desert Area Plan. He reviewed regulatory codes and stated it is not a loose standard to allow the proposed uses under the Development Code or the High Desert Area Plan.

Will Roger, Black Rock City, LLC, stated they need the property to build Black Rock City, a highly successful Nevada City for 30,000 people that exists for a short time. He said they are trying to comply with the permits and make everything look neater, more efficient, safer and healthier. They have not found a suitable property in Empire or Gerlach for their staging area, which is why they purchased the subject property. He wants a nice facility to house his crew for the 95 days it takes to build Black Rock City and clean it up.

Larry Harvey, Burning Man founder, stated they are willing to comply with 95 conditions, and many of the requirements go beyond normal. In 1997, they satisfied every condition imposed. They respect the County and, when their noncompliance was brought to their attention, they turned things around and would comply with the same honesty and determination they did in 1997.

Marian Goodell, Black Rock City, LLC, discussed the economic benefit of the Burning Man event to the County. She said they believe between \$7-million and \$10-million is spent in Washoe County each year related to the event. She advised they have been good neighbors and over \$120,000 has been donated to the Gerlach community from their ice sales. She reviewed other contributions and awards by which the organization has made a positive impact to the community. They believe they provide an important economic benefit in the area, and the site they have for their staging area is important to keep the event alive.

Chairman Humke called on anyone else wishing to speak at this time. Approximately 40 people spoke or submitted statements in support of the Burning Man event and the approval of the Special Use Permits. Statements of support were that Burning Man provides a positive economic contribution to the community and is an asset to the community, the event brings culture to the area, the property is located in a fireproof vegetation zone, they are good citizens, they want to see the event continue, and the event is culturally enriching. Approximately five people spoke in opposition to the approval of the Special Use Permits. The reasons for opposition included the property looks like a junk yard, this is a poor use of agricultural land, it would create a fire hazard to surrounding neighbors, the increased population would put a strain on existing services, and the water supply is inadequate.

There being no one else wishing to speak, Chairman Humke closed the public hearing.

Commissioner Sferrazza moved, seconded by Commissioner Weber, that the recommendation of the Planning Commission be upheld, the appeal be denied, and

the special use permits be granted. Commissioner Sferrazza stated the intent of the motion is to uphold the four permits with the conditions contained in the staff report.

Commissioner Galloway stated he would not support the motion, as he cannot make the findings of consistency and non-detriment. Commissioner Shaw said he had some serious reservations about approving the special use permits. He said he has been to the site and knows the organization means well, but many of the 30,000 people that attend the event do not clean up. He does not believe this is something the organization can accomplish, and he would like Black Rock City to find a property in Gerlach or Empire for their staging area. Chairman Humke expressed concern that the water resources are not adequate and said he would oppose the motion.

Commissioner Weber said she believes that Black Rock City, LLC is very committed to doing a good project, and testimony tonight indicates that many people support issuance of the special use permits. She asked what location would be good enough for them to move to, and stated she believes upholding the appeal would create a bigger problem.

Commissioner Sferrazza stated he believes the conditions are far stricter than almost any other case he is aware of, and they address all of the concerns raised today. He said staff would be required to assure compliance, and if the conditions are not met, the permits could be revoked.

On call for the question, Commissioners Humke, Galloway and Shaw voted “no,” and the motion to grant the special use permits failed.

Being unable to make the findings of Consistency and Issuance Not Detrimental, on motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried with Commissioners Sferrazza and Weber voting “no,” Chairman Humke ordered that the recommendation of approval by the Washoe County Planning Commission be overturned, the appeal be upheld, and Special Use Permit Case Nos. SW02-027, SW02-028, SW02-029, SW02-030 (Burning Man) be denied.

**9:45 p.m.** Commissioner Weber temporarily left the meeting.

**03-535**            **SPECIAL ASSESSMENT DISTRICT NO. 32 – SPANISH SPRINGS  
VALLEY RANCHES ROADS – PUBLIC WORKS**

**5:30 p.m.** This was the time set for the continuance of the public hearing from the April 22, 2003 Commission meeting [BCC Item No. 03-465] to gather testimony in support of or opposition to the formation of Special Assessment District (SAD) No. 32 for Spanish Springs Valley Ranches Road Improvements.

Tom Gadd, Public Works Director, advised the provisional order for SAD 32 has already been adopted. He stated a summary of the written protests received was

contained in the agenda material, and the number of written protests received does not reach the level that would require a statutory cessation of the project.

Gary McDonald, President, Board of Trustees, Spanish Springs Valley Ranches Property Owners' Association (SSVRPOA), reviewed background information concerning the proposal to form SAD 32 to pave approximately 12.5 miles of roads currently maintained by the SSVRPOA. He advised that extensive discussions have been held concerning the formation of the District, and the majority of the people in the area want the roads to be paved, but a minority of the property owners do not want the roads paved. He discussed the methodology used to determine assessment costs and said it is difficult to make things totally fair. He referred to SAD 25 that was created for the paving of approximately 3 miles of Calle de la Plata, for which the County paid 50 percent and the residents paid 50 percent. He said he has been asked to formally request that the County pay 50 percent for SAD 32, but noted he personally does not believe that request is realistic.

**10:00 p.m.** Commissioner Sferrazza temporarily left the meeting.

Mr. McDonald stated he believes the methodology applied represents a fair and equitable solution to provide paved roads for the area, which will improve public safety, mitigate dust control, insure better emergency vehicle access, improve quality of life, and provide a variety of benefits to the residents.

James Spoo, Attorney at Law, representing the SSVRPOA, addressed some of the protest issues. He stated the Association has fully complied with NRS 116 regarding meetings, budgets and its primary responsibility to maintain the roads. The Association has held many meetings to address questions and provide information to the membership, and there have not been any secret meetings. The Association has complied assiduously with the reserve requirements of NRS 116 and has gone out of its way to provide an adequate reserve. He assured the Board there are a number of ways the Association can terminate and would do so if SAD 32 were approved. Mr. Spoo stated the Association has complied with its own declaration and bylaws regarding its contractual powers, and the Commissioners are very much aware that the County forms the SAD 32, not the Association. He stated SAD 32 is not perfect, but it solves considerably more problems than it creates.

Randy Drake, Woodburn and Wedge, advised that he represents several property owners of approximately 51 parcels in the subject area that are opposed to the formation of SAD 32. He reviewed sections of NRS 271 that state the assessment shall not exceed the estimate of the maximum special benefit to an assessed property and defines special benefits as an increase in market value that is directly attributable to the project. He discussed his reasons why he believes that SAD 32 does not comply with those two requirements.

**10:15 p.m.** Commissioner Weber returned to the meeting.

Mr. Drake stated he is not aware of any special assessment district that has been financed by association dues, but that is what is happening here. The primary objections of his clients are that there has never been a vote by the members to terminate the Association, which is a requirement, and the Association declaration prohibits it from entering into a contract that binds the assessment of any future year to pay for an obligation; SAD 32 represents a 15-year contract that essentially binds the Association because of the proposal to substitute the assessment for the dues; and the Bylaws prohibit the Association from entering into any contract that may extend beyond the term of the Board of Trustees, which is one year. Mr. Drake stated there may be some good reasons for SAD 32. However, he does not believe there is compliance with NRS 271.300 and 271.208 when looking at all the properties and the roads servicing the properties, and the fact the properties are assessed equally whether or not they are using a paved road,

Sean Brohawn, attorney representing Dick Wiechers and Mitch Ziegler, owners of four parcels on a road that is not to be paved under the special assessment district, stated his clients pay dues to the Association but are not members of the Association. His clients are being assessed the same as someone that will have a paved road to their property, and the statutes talk about assessments being in proportion to market value. He believes the assessment costs are beyond fairness and are legally defective.

**10:20 p.m.** Commissioner Sferrazza returned to the meeting.

Mr. Brohawn stated there has been a presumption that the difference in market value between a property on a paved road and a property on an unpaved road would be negligible, but his clients do not agree with that presumption.

Chairman Humke asked if there were any other persons present representing property owners, and there was no response. He then called on anyone else wishing to speak.

Approximately 16 people spoke in support of the project and approximately 35 people submitted written comments of support. Reasons for support included increased safety, dust control, improved air quality, increase in property values, improved accessibility, better quality of life, elimination of some duplication of services, and the assessment is fair and equitable.

Approximately 10 people spoke in opposition and approximately 14 people submitted written comments of opposition. Reasons for opposition included that some properties to be assessed will not be on a paved road, the assessment methodology is not fair, paving takes away the rural atmosphere, do not want to pay the assessment, the methodology is not legal, cannot afford the assessment, will derive no benefit, inaccurate property appraisals, and property not in the district and not served by the Association. Some owners requested their property be removed from the district.

Buck Buchanan, area resident, stated one of the roads to be paved cuts his parcel in half, and he is concerned about safety. He requested that consideration be given to moving the road, and said, if this occurs, he would be in favor of the paving.

There being no one else wishing to speak, Chairman Humke closed the public hearing.

At the request of Commissioner Galloway, John Swendseid, Bond Counsel, addressed the legal issues that were raised. He said the entire definition of special benefit set forth in Nevada Revised Statutes needs to be considered and advised the estimated maximum special benefit is determined by Washoe County. He stated staff filed a Preliminary Assessment Roll that listed each parcel in the district and what staff thought was the estimated maximum special benefit. An Engineer's Report accompanied the Assessment Roll to back up what it said. Mr. Swendseid said the conclusion of the Engineer's Report, and his opinion, is that the proposed improvements will increase the value of each of the parcels as set forth in the Preliminary Assessment Roll. He stated it is difficult to come up with a method that everyone is going to agree with, and staff has done their best to determine what they believe is the fairest method possible. He advised he does not believe the assessments are legally defective and enough evidence has been presented to support the estimated benefits recommended by staff. He then stated the issue is not whether a property is on a paved street, but whether creation of the district will benefit the property. He agrees with staff's recommendation that elimination of the Association dues is a benefit to the property and a basis for determining the estimated maximum special benefits.

Upon inquiry, Walt West, Engineering Division, said there are other right-of-way easements that run through parcels in the district that have been dedicated and are on the original land maps. He then advised that no formal applications for hardship had been received, which was noted at the April 22, 2003 meeting. Mr. Gadd commented that staff believes everyone included in SAD 32 will benefit and should be included in the district. He then stated he does not see a problem with looking at the possibility of establishing a new easement on Mr. Buchanan's property that would realign the road slightly. He noted that staff would need to make sure a change would not substantially change the project.

**03-536            RESOLUTION DISPOSING OF PROTESTS – SPECIAL  
ASSESSMENT DISTRICT NO. 32 – SPANISH SPRINGS VALLEY  
RANCHES ROADS**

The Board deliberated on the issues raised during today's testimony. Commissioner Galloway stated he believes staff's recommendation is reasonable, and he does not see any parcels that should be excluded from the District. Commissioner Shaw said he believes safety issues and dust control are the most important considerations.

Commissioner Sferrazza stated he would support the Resolution. He noted he does not think there is an absolutely fair way to determine the assessments, but an appraisal was done, and staff has indicated the assessments are fair in their opinion. Paul Lipparelli, Deputy District Attorney, advised of a typographical error on Page 2, Section 1 and said the Resolution language should include “(...representing lots that will be responsible for less than one-half of the assessments to be paid.)”

On motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Humke be authorized to execute the same:

**RESOLUTION NO. 03-536**

**A RESOLUTION DISPOSING OF THE PROTESTS MADE AT THE HEARING ON THE PROVISIONAL ORDER FOR WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 32 (SPANISH SPRINGS VALLEY RANCHES ROADS); DIRECTING THAT THE ENGINEER PREPARE AND FILE A REVISED AND DETAILED ESTIMATE OF COST, FULL AND DETAILED FINAL PLANS AND SPECIFICATIONS, AND A REVISED MAP AND ASSESSMENT PLAT; AND PROVIDING THE EFFECTIVE DATE HEREOF.**

**WHEREAS**, the Board of County Commissioners (herein "Board") of the County of Washoe (herein "County") and State of Nevada, pursuant to a resolution adopted March 25, 2003 (the "provisional order resolution"), provisionally ordered the acquisition of a street project (the "Project") within the Washoe County, Nevada, Special Assessment District No. 32 (Spanish Springs Valley Ranches Roads) (herein the "District"); and

**WHEREAS**, pursuant to said resolution, the County Clerk gave notice of the time and place of hearing thereon, in the manner specified by law; and

**WHEREAS**, the manner of giving such notice by mail, publication and posting was reasonably calculated to inform the parties of the proceedings concerning the District which might directly and adversely affect their legally protected interests; and

**WHEREAS**, all owners of property to be assessed and interested persons so desiring were permitted to file a written protest or objection on or prior to 3 days before April 22, 2003 or to appear before the Board on Tuesday, April 22, 2003 and at the continuation of such hearing on May 13, 2003, and be heard as to the propriety and advisability of acquiring the Project provisionally ordered, as to the cost thereof and manner of payment therefor, as to the amount thereof to be assessed against said property and to evaluate any hardship applications submitted in accordance with the hardship procedure established by the Board pursuant to an ordinance; and

**WHEREAS**, the written and oral objections or protests received were duly considered, and the Board has determined that it is in the best interests of said District, the County, and inhabitants thereof to create the District as theretofore proposed; and

**WHEREAS**, the Board has determined (based upon the tabulation of the percentage of owners protesting prepared by the County Engineer, and filed with the County Clerk) that the owners of lots which will pay one-half or more of the assessments (as shown in the Preliminary Assessment Roll) have not filed written protests or objections and the protests or objections received were received from owners of lots in the District who, in the aggregate, will pay less than one-half of the assessments (as shown in the Preliminary Assessment Roll); and

**WHEREAS**, the Board has now considered each and every written protest and objection and all oral protests and objections made at the hearing on April 22, 2003 as continued to this May 13, 2003, and the Board finds that each and every written and oral protest or objection is without sufficient merit and is overruled and denied (except as otherwise specifically provided in Section 2.)

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, IN THE STATE OF NEVADA:**

Section 1. The Board determines that each and every protest and objection filed or otherwise made (representing lots that will be responsible for less than one-half of the assessments to be paid) is without sufficient merit, and that the same is overruled and finally passed on by said Board except the District is modified as described in Section 2.

Section 2. The Board has determined, and does hereby determine, that, except as hereinafter stated, it is advisable to acquire the Project as provided by the provisional order resolution and does hereby order that assessments be levied therefor; except that:

[unless changes are listed here, no changes are made and all protests or objections are overruled and denied]

Section 3. Pursuant to NRS 271.360 and an ordinance adopted on October 23, 2001 establishing a hardship determination procedure, the Board has considered all applications or hardship determinations and the recommendations of the Washoe County Department of Social Services and hereby finds and determines that no qualifying applications for hardships were filed.

Section 4. Any person who filed, and did not withdraw a written protest or objection as aforesaid, shall have the right, within 30 days from the effective date of this resolution, to commence an action or suit in any court of competent jurisdiction to

correct or set aside such determination, but thereafter all actions or suits attacking the validity of the proceedings and the amounts of benefits, shall be perpetually barred.

Section 5. The County Engineer is requested and directed to prepare in the manner required by law and present to the Board:

(A) A revised (to the extent necessary) and detailed estimate of the total cost of the District, including each of the incidental costs;

(B) Full and detailed final plans and specifications; and

(C) A revised (to the extent necessary) map and revised assessment plat.

Section 6. The officers of the County are directed to effectuate the provisions of this resolution.

Section 7. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 8. The invalidity of any provision of this resolution shall not affect any remaining provisions hereof.

Section 9. The Board has determined, and does hereby declare, that this resolution shall be in effect after its passage in accordance with law.

**12:01 a.m.** Commissioner Shaw temporary left the meeting.

**03-537**      **CONSOLIDATION FEASIBILITY STUDY – PARKS AND RECREATION**

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Shaw temporarily absent, Chairman Humke ordered that this item be continued to May 22, 2003.

**03-538**      **COUNTY COMMISSION BOARD MEETING AGENDA FORMAT**

This item was continued from April 15, 2003. On motion by Commissioner Sferrazza, seconded by Commissioner Weber, which motion duly carried with Commissioner Shaw temporarily absent, Chairman Humke ordered that this item be continued to the Board Retreat.

03-539

**ORDINANCE NO. 1197 - BILL NO. 1372 – STORMWATER DRAINAGE AND FLOOD CONTROL SERVICE – NORTH SPANISH SPRINGS VALLEY**

**5:30 p.m.** This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on April 25 and May 2 and 9, 2003, to consider second reading and adoption of Bill No. 1372. Proof was made that due and legal Notice had been given.

The Chairman opened the public hearing and called on anyone wishing to speak for or against adoption of said Ordinance.

**12:05 a.m.** Commissioner Shaw returned to the meeting.

Robert Sader, representing HAWCO Properties, stated they support the enactment of the Ordinance. Chairman Humke read a statement of support submitted by Lois Avery, Chairman of the Spanish Springs Citizen Advisory Board, and Mark Rotter, Capital Engineering. Will Brown, Jerry Casale, and John Bradbury, area residents, spoke in support of the Ordinance.

There being no one else wishing to speak, Chairman Humke closed the public hearing.

On motion by Commissioner Shaw, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Humke ordered that Ordinance No. 1197, Bill No. 1372, entitled, "**AN ORDINANCE ESTABLISHING FACILITY CONNECTION, USER/DEBT SERVICE, AND OPERATION AND MAINTENANCE CHARGES FOR PROVISION OF STORMWATER DRAINAGE AND FLOOD CONTROL SERVICE BY WASHOE COUNTY WITHIN THE UNINCORPORATED AREA OF NORTH SPANISH SPRINGS; REQUIRING THE DEPARTMENT OF WATER RESOURCES TO SUBMIT BILLINGS TO ALL USERS; REQUIRING PAYMENT THEREOF; AND PROVIDING PROCEDURES FOR ITS ENFORCEMENT. THIS ORDINANCE REPEALS ORDINANCE NO. 1090,**" be approved, adopted and published in accordance with NRS 244.100.

03-540

**BUSINESS IMPACT STATEMENT – STORMWATER DRAINAGE AND FLOOD CONTROL SERVICE ORDINANCE – NORTH SPANISH SPRINGS VALLEY**

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Humke ordered that the Stormwater Drainage and Flood Control Service Ordinance Business Impact Statement be approved and the County Clerk be directed to make the findings available upon request.

03-541

**RESOLUTION – ADOPTING ORDINANCE ESTABLISHING A SCHEDULE OF RATES AND CHARGES – STORMWATER DRAINAGE AND FLOOD CONTROL SERVICE – NORTH SPANISH SPRINGS VALLEY**

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Humke be authorized to execute the same:

**RESOLUTION**

**A RESOLUTION ADOPTING AN ORDINANCE ESTABLISHING A SCHEDULE OF RATES AND CHARGES FOR PROVISION OF STORMWATER DRAINAGE AND FLOOD CONTROL SERVICE WITHIN THE UNINCORPORATED AREA OF NORTH SPANISH SPRINGS VALLEY IN WASHOE COUNTY, PROVIDING PROCEDURES FOR ITS ENFORCEMENT, AND REPEALING ORDINANCE NO. 1090.**

**WHEREAS**, the proposed Ordinance Establishing a Schedule of Rates and Charges for Provision of Stormwater Drainage and Flood Control Service Within the Unincorporated area of North Spanish Springs Valley in Washoe County, and Providing Procedures for its Enforcement has been previously discussed and considered at public meetings by the Board of County Commissioners of Washoe County; and

**WHEREAS**, the proposed Ordinance Establishing a Schedule of Rates and Charges for Provision of Stormwater Drainage and Flood Control Service Within the Unincorporated area of North Spanish Springs Valley in Washoe County was recommended for approval by the Director of the Department of Water Resources; and

**WHEREAS**, the proposed Ordinance Establishing a Schedule of Rates and Charges for Provision of Stormwater Drainage and Flood Control Service Within the Unincorporated Area of North Spanish Springs Valley in Washoe County was presented to the Board of County Commissioners of Washoe County in a first reading on March 11, 2003; and

**WHEREAS**, pursuant to NRS 318.199 the Board of County Commissioners may take action after the public hearing and adopt a Resolution Adopting the Ordinance Establishing a Schedule of Rates and Charges for Provision of Stormwater Drainage and Flood Control Service Within the Unincorporated Area of North Spanish Springs Valley in Washoe County, Providing Procedures for its Enforcement, and Repealing Ordinance No. 1090.

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the Board of County Commissioners of Washoe County, as follows:

1. The Ordinance Establishing a Schedule of Rates and Charges for Provision of Stormwater Drainage and Flood Control Service Within the Unincorporated Area of North Spanish Springs Valley in Washoe County, Providing Procedures for its Enforcement, and Repealing Ordinance No. 1090 is hereby approved and adopted, and;

2. The Board of County Commissioners finds that this ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.

**03-542            TRANSFER FROM CONTINGENCY – PARTIAL SUPPORT OF TRUCKEE MEADOWS REGIONAL PLANNING AGENCY AMENDED BUDGET FOR FISCAL YEAR 2002/03**

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that Alternative A contained in the staff memorandum dated April 30, 2003 to transfer \$26,400 from contingency in partial support of the Truckee Meadows Regional Planning Agency’s (TMRPA) amended budget for Fiscal Year 2002/03 be approved, and the Comptroller be directed to make the following account changes:

<b>Increase Account</b>	<b>Decrease Account</b>	<b>Amount</b>
11651-72914 – Truckee Meadows Regional Planning Agency	1890-7328 – Contingency	\$26,400

It was noted that the budget amendment is to increase revenue and expenses for litigation and legislative assistance.

**03-543            FIRST AMENDMENT – EMERGENCY WATER SUPPLY AGREEMENT - GOLDEN VALLEY RECHARGE PROJECT**

Upon recommendation of Steve Bradhurst, Director, Water Resources, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the First Amendment To Emergency Water Supply Agreement For Golden Valley Recharge Project be approved and Chairman Humke be authorized to execute the same. It was further ordered that the payment of \$117,000 to the Truckee Meadows Water Authority (TMWA) for improvements to the North Virginia pumping system be approved.

**03-544            PURCHASE ORDER - REIMBURSEMENT OF COSTS TO CITY OF SPARKS - WATER LINE IMPROVEMENTS CROSSING PYRAMID HIGHWAY – WATER RESOURCES**

Upon recommendation of Steve Bradhurst, Director, Water Resources, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Humke ordered that the issuance of a purchase order to the City

of Sparks in the amount of \$157,675.80 for reimbursement of costs for construction of a water line sleeve crossing at Pyramid Highway and an 18-inch sewer stub be approved.

It was noted this action concerns the City of Sparks construction contract to build the Northwest Interceptor in Spanish Springs Valley.

**03-545            RESOLUTION – REPEALING RESOLUTION RELATING TO DEFERRED COMPENSATION ADVISORY COMMITTEE – CREATING COMMITTEE ON DEFERRED COMPENSATION PROGRAMS – HUMAN RESOURCES**

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Humke be authorized to execute the same:

**RESOLUTION: A RESOLUTION REPEALING EXISTING RESOLUTIONS RELATING TO THE DEFERRED COMPENSATION ADVISORY COMMITTEE AND CREATING THE COMMITTEE ON DEFERRED COMPENSATION PROGRAMS OFFERED UNDER 26 U. S . C . § 401(a) AND § 457**

**WHEREAS**, a Deferred Compensation Advisory Committee has been in existence to assist Washoe County in the administration of its deferred compensation program pursuant to NRS 287.440; and

**WHEREAS**, the 2001 Nevada Legislature amended sections of NRS 287.381 to NRS 287.480, inclusive, so that in addition to programs offered under 26 U.S.C. § 457, a political subdivision could offer a program under 26 U.S.C. § 401(a), which allows, inter alia, for qualified, governmental plans; and

**WHEREAS**, the Board of County Commissioners believes it is in the best interests of the County to extend the authority of the Deferred Compensation Committee to cover programs under 26 U.S.C. § 401(a), in addition to the Committee's authority under § 457;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY** as follows:

1. The existing Deferred Compensation Advisory Committee shall have authority to act until the adoption of this Resolution. At such time, all resolutions in effect prior to this Resolution with respect to the establishment and operation of the Deferred Compensation Advisory Committee shall be deemed repealed. All acts of the Deferred Compensation Advisory Committee are hereby ratified and affirmed, including the Committee's actions with respect to the review and recommendations relating to the proposed Washoe County § 401(a) plan.

2. The Committee on Deferred Compensation under 26 U.S.C. § 401(a) and § 457 is hereby established. The Committee will be known as the "Deferred Compensation Committee." The Committee will consist of six (6) voting members as follows: two (2) members to be appointed by the WCEA Executive Board from the WCEA membership; one (1) member to be appointed by the County Manager from the confidential/exempt/management groups of employees; one (1) member to be appointed by the President of the Washoe County Sheriff's Deputies Association, such appointment to be from that Association or the Washoe County Sheriff's Supervisory Deputies Association; one (1) member to be appointed by the President of the Washoe County District Attorney Investigators' Association from that Association; and one (1) member to be appointed by the Chief Administrative Judge of the Second Judicial District Court from the judicial/probation/other Court or District Attorney groups of employees. All members appointed must also be a Participant in either or both of the Washoe County Deferred Compensation Plan or the Washoe County 401(a) Plan, if adopted. The Director of Human Resources for Washoe County shall be a nonvoting member of the Committee.

3. Terms of service on the Deferred Compensation Committee shall be two (2) years for all members. As the constituent membership of the old Deferred Compensation Advisory Committee has not changed pursuant to this Resolution, the membership and members of the newly constituted Deferred Compensation Committee shall be the same as the old Committee with the same terms as established prior to the adoption of this Resolution.

4. Upon adoption of this Resolution, and thereafter as vacancies occur on the Deferred Compensation Committee following the expiration of a member's term, the Director of Human Resources shall cause notice of the vacancy on the Committee to be sent to the appointing authorities as specified above. Such notice shall indicate the time in which an appointment must be made to the Committee. In the event that an appointing authority fails to make an appointment within the time given in the notice, then the members of the Committee who have been appointed shall cause notice of said vacancies to be posted and the Committee will solicit invitations for service on the Committee from all Participants in the Washoe County Deferred Compensation Plan and the Washoe County 401(a) Plan, if adopted. Said appointments may be any employees who are Plan Participants regardless of affiliation with a personnel representative unit.

5. In the event that a member is unable to attend a meeting, the appointing authority may appoint an alternate to serve in the absence of the member. Any member missing 3 consecutive meetings or more without good cause as determined by the remaining members of the Committee shall lose his membership on the Committee. In such event a vacancy shall be created for the remainder of that former member's term which vacancy will be filled in accordance with the terms of this Resolution.

6. A quorum of the Committee to act on any item will consist of three voting members. Any matter brought before the Committee may be approved by a majority of those present and constituting a quorum.

7. The Committee shall have all powers provided under NRS 287.440 for both programs under 26 U.S.C. § 401(a) and § 457. The Committee shall make recommendations to the Board of County Commissioners regarding adoption, amendment or modification to the Washoe County Deferred Compensation Plan and a 401(a) plan. The Committee will also have authority to negotiate with plan providers with respect to such plans and to take other actions as are necessary to the administration of such plans.

[Business Impact Note: The Board of County Commissioners hereby finds that this resolution does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

**03-546                    RESOLUTION ESTABLISHING 401(a) PLAN – APPOINTING TRUSTEE – RELATED AGREEMENTS – HUMAN RESOURCES**

Upon recommendation of Joanne Ray, Director of Human Resources, and Darrell Craig, Chairman, Deferred Compensation Committee, through Katy Singlaub, County Manager, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following actions be taken in connection with the establishment of a 401(a) Plan and Chairman Humke be authorized to execute the documents:

1. The Resolution Establishing the Washoe County 401(a) Plan and Appointing AllFirst Trust Company as Trustee (noted below) be adopted. This action includes the approval of:
  - The Qualified Retirement Plan for Governmental Entities (Defined Contribution Basic Plan Document)
  - The EGTRRA Adoption Agreement Amendment
  - The Basic Plan Document Amendment and Adoption Agreement Amendment
2. The Master Application for Group Funding Agreement/Group Funding Agreement be approved.
3. The Administrative Services Agreement with Hartford and Amendments thereto be approved.
4. The Employer Discretionary Contribution Plan for A Governmental Unit Adoption Agreement be approved.

It was further ordered that the approval and execution of all other related documents to implement the 401(a) Plan be authorized.

**RESOLUTION OF BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY ESTABLISHING THE WASHOE COUNTY 401(a) PLAN AND APPOINTING ALLFIRST TRUST COMPANY AS TRUSTEE**

**WHEREAS**, Washoe County, a political subdivision of the State of Nevada, pursuant to NRS 287.381 to 287.480, has authority to adopt a program under 26 U.S.C. § 401(a) for its employees; and

**WHEREAS**, upon recommendation of the Deferred Compensation Committee, the Board of County Commissioners of Washoe County desires to establish a 401(a) plan; and

**WHEREAS**, the Board of County Commissioners of Washoe County finds it to be consistent with the adoption and approval of the Washoe County 401(a) Plan to appoint Allfirst Trust Company as Trustee of the Washoe County 401(a) Plan;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of County Commissioners hereby establishes the Washoe County 401(a) Plan with an effective date of June 2, 2003; and

**BE IT FURTHER RESOLVED** that Washoe County will begin using Hartford Life Insurance Company for the investment management, administration and record keeping of the Washoe County 401(a) Plan; and

**BE IT FURTHER RESOLVED** that Allfirst Trust Company, N.A. is hereby appointed as Trustee of the Washoe County 401(a) Plan; and

**BE IT FURTHER RESOLVED**, that the following officers of Washoe County: David E. Humke, Chairman, Washoe County Commission; Darrell Craig, Chairman, Deferred Compensation Committee; and Joanne Ray, Director of Human Resources, or their duly elected or appointed successors, are hereby authorized to take such actions as are necessary to carry out the foregoing resolutions.

**03-547**      **BILL NO. 1382 -AMENDING WCC CHAPTER 110  
(DEVELOPMENT CODE) – COOPERATIVE PLANNING –  
APPOINTMENT OF PLANNING COMMISSIONERS AND BOARD  
OF ADJUSTMENT MEMBERS**

Bill No. 1382, entitled, "AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 400, DEVELOPMENT STANDARDS: TITLE AND CONTENTS, BY AMENDING THE TITLE OF ARTICLE 434 TO "REGIONAL DEVELOPMENT STANDARDS WITHIN COOPERATIVE PLANNING AREAS AND ALL OF WASHOE COUNTY"; TO AMEND WASHOE COUNTY CODE, CHAPTER 110, DEVELOPMENT CODE, ARTICLE 800, PROCEDURES: TITLE AND CONTENTS, BY ADDING THE TITLE OF ARTICLE 822 "PROVISIONS FOR

AMENDMENTS TO LOCAL MASTER PLANS AND ZONE CHANGES IN AREAS SUBJECT TO COOPERATIVE PLANNING UNDER THE REGIONAL PLAN SETTLEMENT AGREEMENT”; TO AMEND WASHOE COUNTY CODE, CHAPTER 110, DEVELOPMENT CODE, ARTICLE 912, ESTABLISHMENT OF COMMISSIONS, BOARDS AND HEARING EXAMINERS, BY AMENDING THE REPRESENTATION OF THE PLANNING COMMISSION AND BOARD OF ADJUSTMENT TO REFLECT ALL COUNTY COMMISSION DISTRICTS, AND OTHER MATTERS PROPERLY RELATING THERETO,” was introduced by Commissioner Sferrazza, the title read to the Board and legal notice for final action of adoption directed.

**03-548**            **BILL NO. 1383 - AMENDING WCC CHAPTER 110 – DEVELOPMENT CODE – REGIONAL ROAD IMPACT FEE ADMINISTRATIVE MANUAL AND CAPITAL IMPROVEMENT PROGRAM**

Bill No. 1383, entitled, "AN ORDINANCE AMENDING PROVISIONS RELATING TO WASHOE COUNTY CODE CHAPTER 110, ARTICLE 706, IMPACT FEES, BY AMENDING THE DATE OF ADOPTION OF THE AMENDED REGIONAL ROAD IMPACT FEE ADMINISTRATIVE MANUAL, BY AMENDING THE DATE OF ADOPTION OF THE AMENDED REGIONAL ROAD IMPACT FEE CAPITAL IMPROVEMENT PROGRAM, BY INCORPORATING THE ADMINISTRATIVE MANUAL AND CAPITAL IMPROVEMENTS PROGRAM BY REFERENCE, AND OTHER MATTERS RELATING THERETO," was introduced by Commissioner Shaw, the title read to the Board and legal notice for final action of adoption directed.

**03-549**            **BILL NO. 1384 - AMENDING WCC CHAPTER 100 – UNIFORM CODES RELATING TO BUILDINGS AND CONSTRUCTION**

Bill No. 1384, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY REPEALING PROVISIONS RELATING TO BUILDINGS AND CONSTRUCTION AND ADDING UNIFORM CODES WITH CERTAIN CHANGES, ADDITIONS AND DELETIONS, RELATING TO BUILDINGS AND CONSTRUCTION," was introduced by Commissioner Shaw, the title read to the Board and legal notice for final action of adoption directed.

**03-550**            **BILL NO. 1385 - AMENDING WCC CHAPTER 95 – CHANGE NAME OF PARKS AND RECREATION COMMISSION TO WASHOE COUNTY OPEN SPACE AND REGIONAL PARK COMMISSION**

Bill No. 1385, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY CHANGING THE NAME OF THE WASHOE COUNTY PARKS AND RECREATION COMMISSION TO THE WASHOE COUNTY OPEN SPACE AND REGIONAL PARK COMMISSION," was

introduced by Commissioner Galloway, the title read to the Board and legal notice for final action of adoption directed.

**03-551            INTERLOCAL AGREEMENT – LEASE AGREEMENT –  
CONSOLIDATION OF ANIMAL SERVICES – PUBLIC WORKS**

Tom Gadd, Public Works Director, advised that staff is requesting the action on the deed concerning the transfer of land located at 2825 Longley Lane be pulled due to a technicality. He advised that the City of Reno needs to convey the property to the County by resolution; and, when that occurs, staff will bring the deed back to the Board for approval.

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the Interlocal Agreement between Washoe County and the Cities of Reno and Sparks for the consolidation of animal services to include the transfer of employees, property, and equipment; collection and distribution of voter-approved taxes; repeal of existing Interlocal Agreements; and coordination of permanent animal services functions be approved and Chairman Humke be authorized to execute the same.

It was further ordered that the Lease Agreement for a portion of the present Reno Animal Services Center from Washoe County (Lessor) to the City of Reno (Lessee) pursuant to Interlocal Agreement during construction of the new consolidated Regional Animal Services Shelter for property located at 2825 Longley Lane be approved and Chairman Humke be authorized to execute the same.

\*       \*       \*       \*       \*       \*       \*       \*       \*       \*

There being no further business to come before the Board, the meeting adjourned at 12:15 a.m. on May 14, 2003.

\_\_\_\_\_  
**DAVID E. HUMKE**, Chairman  
Washoe County Commission

**ATTEST:**

\_\_\_\_\_  
**AMY HARVEY**, County Clerk  
and Clerk of the Board of  
County Commissioners

*Minutes Prepared by  
Melissa Ayrault and Barbara Trow  
Deputy County Clerks*